

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 6:05-cv-1053-Orl-31DAB

**OSCEOLA COUNTY, FLORIDA and
DONNA BRYANT, Supervisor of Elections,**

Defendants.

ORDER

The Plaintiff, United States of America, has moved for a preliminary injunction, pursuant to 42 U.S.C. § 1973j(d), Rule 65 of the Federal Rules of Civil Procedure, and Local Rule 4.06 (Doc. 26) to enjoin Osceola County, Florida and Donna Bryant, the County's Supervisor of Elections, their agents and all persons acting in concert with them, from seeking to hold or administer elections for open seats of the Osceola Board of County Commissioners until a final remedy is implemented under §2 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973, to cure the dilution of Hispanic votes caused by the County's at-large method of electing county commissioners.

On September 28, 2005, the Court entered a Scheduling Order (Doc. 19) outlining a timetable for the phase I preliminary injunction hearing. Pursuant thereto, the parties conducted extensive discovery and submitted memoranda of law. An evidentiary hearing was held June 21-23, 2006, with closing arguments on June 26, 2006. At the hearing, the parties presented extensive evidence, including the testimony of numerous experts and their supporting documentation.

Because qualifying for the upcoming election of two seats on the county commission is just three weeks away, it was necessary for the Court to rule from the bench. For the reasons stated in open court on June 26, 2006, it is

ORDERED that Plaintiff's Motion for Preliminary Injunction is **GRANTED**. Defendants, Osceola County and Donna Bryant, their agents and all persons acting under their direction, are hereby **ENJOINED** from proceeding with the election of county commissioners until further order of the Court.

DONE and **ORDERED** in Chambers, Orlando, Florida on June 26, 2006.

Copies furnished to:

Counsel of Record
Unrepresented Party

