

FILED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

WAN J. KIM  
Assistant Attorney General  
Civil Rights Division

2007 APR 12 AM 11:59

GEORGE S. CARDONA  
Acting United States Attorney

FEDERAL U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

JOHN K. TANNER  
Chief  
SUSANA LORENZO-GIGUERE  
Special Litigation Counsel  
ALBERTO RUISANCHEZ  
VERONICA SEUNGWON JUNG  
Trial Attorneys  
Voting Section  
Civil Rights Division  
United States Department of Justice  
950 Pennsylvania Ave, N.W. - NWB Ste. 7201  
Washington, D.C. 20530  
Fax: (202) 307-3961  
Tel.: (202) 305-1291  
[alberto.ruisanchez@usdoj.gov](mailto:alberto.ruisanchez@usdoj.gov)

Counsel for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

United States of America,  
  
Plaintiff,

v.

CITY OF WALNUT, CALIFORNIA; THE  
WALNUT CITY COUNCIL; THE OFFICE OF  
THE WALNUT CITY MANAGER; TERESA  
DE DIOS, in her official capacity as Walnut  
City Clerk,

Defendants.

CASE NO. CV 07 2437 PA

THREE-JUDGE COURT

COMPLAINT

Plaintiff United States of America alleges:

1. The Attorney General files this action pursuant to Sections 203 and 204 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1973aa-1a and 1973aa-2, and the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202.

1           2.       This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1345;  
2       42 U.S.C. § 1973aa-2; and 28 U.S.C. § 2201. In accordance with the provisions of 42 U.S.C. §  
3       1973aa-2 and 28 U.S.C. § 2284, the United States' claim brought under Section 203 of the Voting  
4       Rights Act of 1965, as amended ("Section 203"), must be heard and determined by a court of three  
5       judges.

6           3.       Venue is proper in this court as the events relevant to this action occurred in the City  
7       of Walnut, which is located in the United States District Court for the Central District of California.

8           4.       Defendant CITY OF WALNUT ("Walnut" or "the City") is a political and  
9       geographical subdivision of the County of Los Angeles and the State of California.

10          5.       Defendant THE WALNUT CITY COUNCIL is the City's local governing body,  
11       pursuant to state law, and is responsible for establishing municipal policies.

12          6.       Defendant THE OFFICE OF THE WALNUT CITY MANAGER has responsibilities  
13       for the administration of municipal affairs and oversees the daily operations of the City, including  
14       directing City staff.

15          7.       Defendant TERESA DE DIOS serves as the City Clerk for Walnut. As the City  
16       Clerk, she is responsible for the administration of election day activities, including the hiring,  
17       assignment and training of poll workers, as well as other aspects of elections and voting procedures  
18       in Walnut. Defendant DE DIOS is sued in her official capacity.

19          8.       According to the 2000 Census, Walnut City had a total population of 30,004, of  
20       whom 8,853 (29.5%) were Chinese and 1,916 (6.4%) were Korean. The Census reported that the  
21       City had a total voting age population of 21,723, of whom 6,212 (28.6%) were Chinese and 1,369  
22       (6.3%) were Korean. Of the Chinese voting age residents, 4,056 (65.3%) were limited-English  
23       proficient, and of the Korean voting age residents, 853 (62.3%) were limited-English proficient.  
24       The Census also reported that the total citizen voting age population of Walnut was 16,922, of  
25       whom 3,707 (21.9%) were Chinese and 916 (5.4%) were Korean.





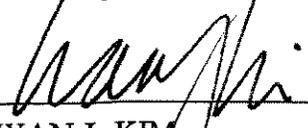
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

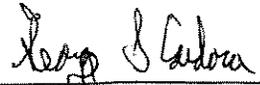
4. Requiring Defendants to implement a remedial plan to ensure that, in the event that the need for materials and assistance arises in other languages subject to the requirements of Section 203, Defendants will provide election related materials and assistance to residents in need of them; and
5. Authorizing the appointment of federal observers in Walnut City pursuant to Section 3(a) of the Voting Rights Act, 42 U.S.C. § 1973a(a).

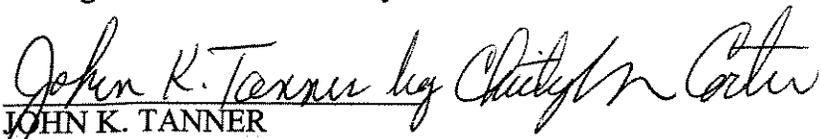
1 Plaintiff further prays that this Court order such additional relief as the interests of justice  
2 may require, together with the costs and disbursements in maintaining this action.

3 Dated: April 12, 2007.

4  
5 ALBERTO R. GONZALEZ  
Attorney General

6   
7  
8 WAN J. KIM  
Assistant Attorney General

9   
10 GEORGE S. CARDONA  
Acting United States Attorney

11   
12 JOHN K. TANNER  
13 Chief

14   
15 SUSANA LORENZO-GIGUERE  
Special Litigation Counsel  
16 ALBERTO RUISANCHEZ (MD Bar)  
VERONICA SEUNGWON JUNG (NY Bar # 4098695)  
17 Trial Attorneys  
Voting Section  
18 Civil Rights Division -NWB  
U.S. Department of Justice  
19 950 Pennsylvania Ave.,N.W.  
Washington, D.C. 20530  
20 (202) 305-1291  
[alberto.ruisanchez@usdoj.gov](mailto:alberto.ruisanchez@usdoj.gov)