

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

ROSA A. QUINTEROS, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 METROPOLITAN GOVERNMENT )  
 OF NASHVILLE AND DAVIDSON )  
 COUNTY and DAVIDSON COUNTY )  
 ELECTION COMMISSION, )  
 )  
 Defendants. )

Case No. 08-2535-I

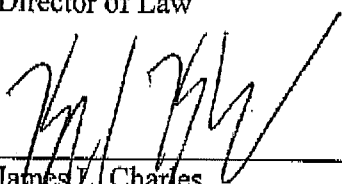
**DEFENDANTS' MOTION TO JOIN ERIC CRAFTON**  
**AS AN INDISPENSABLE PARTY**  
**[Tenn. R. Civ. P. 19.01]**

The Metropolitan Government of Nashville and Davidson County, Tennessee ("Metropolitan Government") and the Davidson County Election Commission ("Election Commission") move to join Eric Crafton as an indispensable party in the instant matter. Plaintiff seeks to enjoin the January 22, 2009 special election on a proposed "English Only" amendment to the Metropolitan Charter. Mr. Crafton has been one of the primary proponents of the "English Only" amendment. He claims an interest relating to the subject matter of this litigation, and the disposition of this matter in Mr. Crafton's absence will, as a practical matter, impair or impede his ability to assert his interests, because no current party adequately represents his interests.

For these reasons, and as discussed in more detail in the accompanying memorandum of law, which is incorporated herein by reference, Defendants move that the Court join Eric Crafton as an indispensable party pursuant to Tenn. R. Civ. P. 19.01.

Respectfully submitted,

THE DEPARTMENT OF LAW OF THE  
METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY  
SUE B. CAIN, #9380  
Director of Law



---

James L. Charles  
Associate Director of Law, # 9007  
Lora Barkenbus Fox, # 17243  
Kevin C. Klein, # 23301  
Assistant Metropolitan Attorneys  
Metropolitan Courthouse, Suite 108  
P.O. Box 196300  
Nashville, Tennessee 37219-6300  
(615) 862-6341

**NOTICE OF HEARING**

**THE METROPOLITAN GOVERNMENT RESPECTFULLY REQUESTS THAT THE COURT SPECIALLY SET THE HEARING ON THIS MOTION AT ITS EARLIEST CONVENIENCE SO THAT IT MAY BE HEARD PRIOR TO THE HEARING ON PLAINTIFF'S REQUEST FOR A TEMPORARY INJUNCTION.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, on this 21<sup>st</sup> day of November, 2008 to:

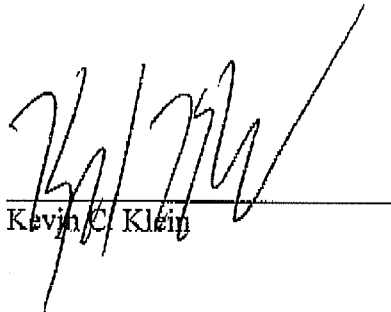
David Randolph Smith  
Law Offices of David Randolph Smith  
and Edmund J. Schmidt III  
1913 21<sup>st</sup> Avenue South  
Nashville, Tennessee 37212  
E-mail: [drs@drsfirm.com](mailto:drs@drsfirm.com)

Sean Lewis  
144 Second Avenue North, Suite 150  
Nashville, Tennessee 37219

*Attorneys for Plaintiff*

James Roberts  
James D.R. Roberts & Janet L. Layman  
701 Broadway/Customs House, Suite 401, Mailbox 1  
Nashville, Tennessee 37203  
Email: [jimrob001@aol.com](mailto:jimrob001@aol.com)

*Attorneys for Eric Crafton*

  
\_\_\_\_\_  
Kevin C. Klein