

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PAUL HARD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:13-CV-922-WKW
	)	
LUTHER JOHNSON STRANGE,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Before the court are cross-motions for summary judgment filed by Plaintiff Paul Hard (Doc. # 59), Defendant Attorney General Luther Strange (Doc. # 63),<sup>1</sup> and Intervenor Defendant Pat Fancher (Doc. # 65). The motions for summary judgment have remained pending during a stay of this case (Doc. # 77).

Mr. Hard has recently filed a motion to lift stay, enter summary judgment, and distribute funds (Doc. # 79). Attorney General Strange agrees that the stay of this case is due to be lifted, but he opposes the entry of summary judgment in Plaintiff's favor because, he says, the case is moot and due to be dismissed (Doc. # 88). Hence, Attorney General Strange has moved for dismissal on grounds of mootness (Doc. # 87).

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<sup>1</sup> The motion was joined by Defendant Governor Robert Bentley, but Governor Bentley has been dismissed as a defendant to this action.

The court agrees with Attorney General Strange that the stay should be lifted and that this action should be dismissed as moot with prejudice.

Accordingly, it is ORDERED as followed:

1. Plaintiff's motion to lift stay and disburse funds (Doc. # 79) is GRANTED and the stay of this case is LIFTED;

2. Attorney General Strange's motion to dismiss (Doc. # 87) is GRANTED;

3. Plaintiff's motion for entry of summary judgment (Doc. # 79) is DENIED, and the parties' cross-motions for summary judgment (Docs. # 59, 63, 65) are DENIED;

4. Counsel for Plaintiff and for the Estate of David Fancher are DIRECTED to file a statement on or before **July 20, 2015**, advising the court how the Clerk of the Court should disburse the funds.

A separate final judgment will be entered.

DONE this 14th day of July, 2015.

/s/ W. Keith Watkins  
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CHIEF UNITED STATES DISTRICT JUDGE