



ASSOCIATION FOR THE STUDY OF AFRICAN AMERICAN LIFE AND HISTORY®

301 RHODE ISLAND AVENUE, NW | SUITE 2204 | WASHINGTON, DC 20001
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5 February 2024

Dear ASALH Family:

As you may recall, last month I advised you that that a lawsuit had been filed in the Superior Court of the District of Columbia against the Association for the Study of African American Life and History (hereafter referred to as ASALH) and me by Barbara Spencer Dunn, 19 other ASALH members including two members of the ASALH Executive Council, (Valerie Holt and Jarvis Givens) that sought declaratory and injunctive relief. Additionally, the Vice President for Membership (Ida Jones) submitted an affidavit included in the filing.

In defending against that lawsuit, our attorney filed a motion to dismiss the lawsuit and that motion was heard on Friday, February 2, 2024.

After hearing arguments by counsel for the plaintiffs and from ASALH's counsel, **the judge dismissed the lawsuit**. The judge ruled that the court was precluded by rulings of the D.C. Court of Appeals and the D.C. Code from granting the declaratory and injunctive relief requested by the plaintiffs in the lawsuit because the plaintiffs could obtain that relief through the provisions of Article III, Section 2h of the ASALH Constitution. The judge found that the plaintiffs had not shown that they had even attempted to pursue relief pursuant to that section of the ASALH Constitution, or that ASALH had thwarted any attempt by plaintiffs to follow that section of the ASALH Constitution.

The judge ruled that she would not substitute her judgment for that of the membership of ASALH as evidenced by the October 30, 2023 vote of the ASALH membership. The judge made this

ruling, in part, as a response to the argument of counsel for plaintiffs that ASALH was not a membership governed organization.

The lawsuit was dismissed, but plaintiffs have the right to re-file the lawsuit if they can show that ASALH has acted to prevent plaintiffs from moving forward with the process provided by Article III, Section 2h of the ASALH Constitution, (Removal of Elected Officials from Office) if the plaintiffs choose to do so. To that end, ASALH was ordered to provide plaintiffs with an ASALH membership list, for the sole purpose of contacting the membership for Article III, Section 2h, by February 9, 2024, which ASALH will do. ASALH does not sell or lend its member or mail list. If you receive any email or correspondence that goes beyond the direction of the court, please send it to me at dulaney@asalh.org.

We continue to see this lawsuit as an effort to distract us from Dr. Woodson's mission and vision. We will honor his legacy by moving forward with our efforts to increase membership, present the Black History Month Festival including the February 24th Luncheon, organize the 2024 Conference, raise funds to launch the Freedom School initiative, and plan and execute the business of ASALH. We will not allow this distraction to deter ASALH from fulfilling our founder's goals and objectives.

Sincerely,

A handwritten signature in cursive script that reads "W. Marvin Dulaney". The signature is written in dark ink on a light-colored background.

W. Marvin Dulaney
President, ASALH