

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

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NORTH CAROLINA STATE CONFERENCE  
OF THE NAACP, et al.,

Plaintiffs,

v.

PATRICK LLOYD MCCRORY, in his official  
capacity as the Governor of North Carolina, et  
al.,

Defendants.

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**Case No.: 1:13-CV-658**

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LEAGUE OF WOMEN VOTERS OF  
NORTH CAROLINA, et al.,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al.,

Defendants.

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**Case No.: 1:13-CV-660**

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UNITED STATES OF AMERICA,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al,

Defendants.

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**Case No.: 1:13-CV-861**

**DUKE INTERVENOR-PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO  
DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION**

NOW COME the Duke Intervenor-Plaintiffs, who join in the Opposition memoranda filed by the United States (ECF No. 329 (Case No.13-660)) and the NAACP Plaintiffs (ECF No. 330 (Case No. 13-660)) and oppose the Defendants' Motion to Dismiss For Lack of Subject Matter Jurisdiction (ECF No. 310 (Case. No. 13-660)). For the reasons set forth in the aforementioned oppositions, as well as the reasons set out below, the Duke Intervenor-Plaintiffs respectfully request that the Court deny Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction.

On November 25, 2013, a group of North Carolina residents that includes young voters intervened in this suit to protect the rights of young North Carolinians whose right to vote will be and has been denied or unreasonably infringed by the discriminatory changes made to North Carolina's elections laws via the passage of H.B. 589. In addition to other challenges, the Duke Intervenor-Plaintiffs specifically challenged H.B. 589's photo ID provision, which places a disproportionate burden on, and abridges the right to vote of, young voters.

The 2015 passage of H.B. 836—the recent amendment to H.B. 589's photo ID provision—will not eliminate those burdens. H.B. 836 did not repeal or eliminate H.B. 589's photo ID requirement and—in part because student IDs still cannot be used to prove identity, even after the enactment of H.B. 836—young voters remain less likely than older voters to have the required forms of identification and, therefore, remain disproportionately burdened by H.B. 589. Moreover, as the Duke Intervenor-Plaintiffs' expert Dr. Peter Levine explained in the ongoing trial of this matter, the recent

amendment will add to the confusion surrounding the implementation of H.B. 589's photo ID requirement and will therefore burden young voters.

Accordingly, the Duke Intervenor-Plaintiffs respectfully request that for these reasons and the reasons stated in the aforementioned oppositions, the Court deny Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction.

Dated: July 23, 2015

Respectfully submitted,

/s/ Marc E. Elias

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 23, 2015, I served Duke Intervenor-Plaintiffs' Opposition to Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction using the CM/ECF system, by filing a copy thereof in case numbers 1:13-cv-658 and 1:13-cv-660, which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have appeared and consent to electronic service in all above-captioned actions.

*/s/ Edwin M. Speas, Jr.*  
Edwin M. Speas, Jr.

## General Information

<b>Court</b>	United States District Court for the Middle District of North Carolina; United States District Court for the Middle District of North Carolina
<b>Federal Nature of Suit</b>	Civil Rights - Voting[441]
<b>Docket Number</b>	1:13-cv-00660