

**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. ) **Case No.: 1:13-CV-658**  
 )  
PATRICK LLOYD MCCRORY, in his official )  
capacity as the Governor of North Carolina, et )  
al., )  
Defendants. )  
 )  
 )

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LEAGUE OF WOMEN VOTERS OF )  
NORTH CAROLINA, et al., )  
 )  
Plaintiffs, )  
 )  
v. ) **Case No.: 1:13-CV-660**  
 )  
THE STATE OF NORTH CAROLINA, et al., )  
 )  
Defendants. )  
 )  
 )

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UNITED STATES OF AMERICA, )  
 )  
Plaintiffs, )  
 )  
v. ) **Case No.: 1:13-CV-861**  
 )  
THE STATE OF NORTH CAROLINA, et al, )  
 )  
Defendants. )  
 )  
 )

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**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Rule 65(a) of the Federal Rules of Civil Procedure, Plaintiffs in *North Carolina State Conference of the NAACP, et al. v. McCrory, et al.*, Plaintiffs in *League of Women Voters of N.C., et al. v. North Carolina*, and the Duke Intervenor Plaintiffs (collectively, the “Plaintiffs”) respectfully move for an order preliminarily enjoining enforcement of certain provisions of North Carolina House Bill 589, Session Law 2013-381 (“HB 589”). Plaintiffs ask that Defendants be required to maintain the status quo and use the same voting practices and procedures for the 2014 general election that millions of North Carolina citizens used to vote in the 2010 and 2012 general elections.

Specifically, Plaintiffs move this Court for an order preliminarily enjoining:

- The elimination of same-day voter registration, Part 16 of HB 589;
- The repeal of out-of-precinct provisional voting, Part 49 of HB 589;
- The elimination of seven days of early in-person (“one-stop”) voting, Part 25 of HB 589;
- The removal from County Boards of Election of discretion to keep the polls open for an extra hour, Part 33 of HB 589;
- The elimination of pre-registration for 16 and 17 year olds, Part 12 of HB 589;
- The expansion of poll observers and ballot challengers, Parts 11 & 20.2 of HB 589;
- Defendants from asking any voter—at a polling place during the 2014 General Election—whether they possess photo identification (as that term is defined in Section 2.2(e) of Session-Law 2013-38) or otherwise comply with the requirements to vote established in Part 2 of HB 589.

A preliminary injunction should be issued because: (1) Plaintiffs are likely to prevail on the merits in this action; (2) Plaintiffs will suffer irreparable harm during the

pendency of this action if this relief is not granted; (3) the balance of equities cuts strongly in Plaintiffs' favor; and (4) an injunction is in the public interest.

In support of this Motion, Plaintiffs provide (i) a Joint Memorandum in Support of Motion for Preliminary Injunction; and (ii) a Joint Appendix (which is the combined Joint Appendix for the Plaintiffs and the United States of America). The Joint Appendix is divided into five Volumes which contain the following information:

- Volume I: Plaintiff Declarations, Fact Witness Declarations, and Deposition Transcripts.
- Volumes II and III: Plaintiffs' and the United States' Expert and Rebuttal Expert Reports.
- Volume IV: documents cited by Plaintiffs and the United States as exhibits to the Joint Memorandum in Support of Motion for Preliminary Injunction.
- Volume V: legislative history materials and documents related to legislation.

As previously requested and discussed at the February 21, 2013 hearing, the Plaintiffs request a hearing on their motion for preliminary injunction.

Dated: May 19, 2014

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 19, 2014, I served Plaintiffs' Motion for Preliminary Injunction with the Clerk of Court using the CM/ECF system in case numbers 1:13-cv-658, 1:13-cv-660, and 1:13-cv-861, which on the same date sent notification of the filing to the following:

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