

EXHIBIT A

From: Farr, Thomas A. <thomas.farr@ogletreedeakins.com>
Sent: Tuesday, December 29, 2015 10:17 AM
To: Donovan, Daniel T.; Glick, Michael A.; Peters, Alec (apeters@ncdoj.gov); butch@butchbowers.com; Peters, Alec (apeters@ncdoj.gov)
Cc: O'Connor, Bridget K.; Davies, Susan M.; Morris, Madelyn A.; *phair@advancementproject.org; *djjudge@advancementproject.org; *CSwain@advancementproject.org; *dlieberman@advancementproject.org; Garrett, Jenigh (CRT) (Jenigh.Garrett@usdoj.gov); Meza, Catherine (CRT) (Catherine.Meza@usdoj.gov); McFarland, Ernest A (CRT) (Ernest.A.McFarland@usdoj.gov); Ryan, Elizabeth (CRT) (Elizabeth.Ryan@usdoj.gov); Cooper, David (CRT) (David.Cooper@usdoj.gov); Kaul, Joshua L. (Perkins Coie) (JKaul@perkinscoie.com)
Subject: RE: NC - Proposed Joint Status Report

Dan

Please advise the court in your filing that we object on the grounds stated in my prior email. We are not prepared today to file a brief in opposition to your third brief . Thanks.

Thomas A. Farr | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

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From: Donovan, Daniel T. [mailto:ddonovan@kirkland.com]
Sent: Tuesday, December 29, 2015 3:10 PM
To: Farr, Thomas A.; Glick, Michael A.; Peters, Alec (apeters@ncdoj.gov); butch@butchbowers.com; Peters, Alec (apeters@ncdoj.gov)
Cc: O'Connor, Bridget K.; Davies, Susan M.; Morris, Madelyn A.; *phair@advancementproject.org; *djjudge@advancementproject.org; *CSwain@advancementproject.org; *dlieberman@advancementproject.org; Garrett, Jenigh (CRT) (Jenigh.Garrett@usdoj.gov); Meza, Catherine (CRT) (Catherine.Meza@usdoj.gov); McFarland, Ernest A (CRT) (Ernest.A.McFarland@usdoj.gov); Ryan, Elizabeth (CRT) (Elizabeth.Ryan@usdoj.gov); Cooper, David (CRT) (David.Cooper@usdoj.gov); Kaul, Joshua L. (Perkins Coie) (JKaul@perkinscoie.com)
Subject: RE: NC - Proposed Joint Status Report

Tom -- I just wanted to touch base to let you know that we don't agree with your positions below. We read the Court's order (key part pasted below) requiring the meet and confer (that Alec and I did) and a description of the status of the disputes or potential narrowing of disputes. In addition to the Order, we think it only fair to let the Court know where the disputes lie with the parties and where there may be agreement (or potential thereof). Of course, you will need to file what you believe is necessary and we would respond accordingly. Based on your response, however, we will plan to file our own status report and note that the parties were not able to reach agreement on a joint report. Take care, Dan

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IT IS FURTHER ORDERED that the parties are to meet and confer and submit to the court by 12/29/2015, a joint report articulating whether there has been any narrowing of the issues regarding Plaintiff NC NAACP's motion for preliminary injunction and/or the remaining claim in this case relating to the Voter ID

component of the law, and if so, what the parties contend remains in the case.

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From: Farr, Thomas A. [<mailto:thomas.farr@ogletreedeakins.com>]
Sent: Tuesday, December 29, 2015 2:37 PM
To: Glick, Michael A.; Peters, Alec (apeters@ncdoj.gov); butch@butchbowers.com; Peters, Alec (apeters@ncdoj.gov)
Cc: Donovan, Daniel T.; O'Connor, Bridget K.; Davies, Susan M.; Morris, Madelyn A.; *phair@advancementproject.org; *djjudge@advancementproject.org; *CSwain@advancementproject.org; *dlieberman@advancementproject.org; Garrett, Jenigh (CRT) (Jenigh.Garrett@usdoj.gov); Meza, Catherine (CRT) (Catherine.Meza@usdoj.gov); McFarland, Ernest A (CRT) (Ernest.A.McFarland@usdoj.gov); Ryan, Elizabeth (CRT) (Elizabeth.Ryan@usdoj.gov); Cooper, David (CRT) (David.Cooper@usdoj.gov); Kaul, Joshua L. (Perkins Coie) (JKaul@perkinscoie.com)
Subject: RE: NC - Proposed Joint Status Report

Dear Michael

We cannot agree to your proposed "joint status report" which reads like a sur reply brief in support of plaintiffs' motion for a preliminary injunction.

Nor do we have time to add to your proposal a version of what would constitute a second brief from defendants' in opposition to plaintiffs' motion for a preliminary injunction, something that would be needed to respond to your legal arguments and factual allegations included in your proposed "joint status report" with which we disagree.

We can agree to advise the court that the parties are conducting discovery and that they have been unable to reach an agreement that would resolve any need for a ruling on plaintiffs' motion for a preliminary injunction

You do not have our permission to file this as a joint report or to include our signature unless it is modified as indicated above.

If you file the report in this form, please state that defendants' have objected to the filing of your document on the ground that it constitutes an unauthorized sur reply brief and will file their own response in due course explaining their opposition and the numerous inaccurate statements in the report.

Tom Farr

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From: Glick, Michael A. [<mailto:michael.glick@kirkland.com>]
Sent: Tuesday, December 29, 2015 1:46 PM
To: Farr, Thomas A.; Peters, Alec (apeters@ncdoj.gov); butch@butchbowers.com; Peters, Alec (apeters@ncdoj.gov)
Cc: Donovan, Daniel T.; O'Connor, Bridget K.; Davies, Susan M.; Morris, Madelyn A.; *phair@advancementproject.org; *djjudge@advancementproject.org; *CSwain@advancementproject.org; *dlieberman@advancementproject.org; Garrett, Jenigh (CRT) (Jenigh.Garrett@usdoj.gov); Meza, Catherine (CRT) (Catherine.Meza@usdoj.gov); McFarland, Ernest A (CRT) (Ernest.A.McFarland@usdoj.gov); Ryan, Elizabeth (CRT) (Elizabeth.Ryan@usdoj.gov); Cooper, David (CRT)

(David.Cooper@usdoj.gov); Kaul, Joshua L. (Perkins Coie) (JKaul@perkinscoie.com)

Subject: NC - Proposed Joint Status Report

Counsel:

In accordance with the Court's instruction that we provide a joint status report today, please see the attached draft. We welcome the Defendants' input as we finalize the report.

Regards,
Michael Glick

Michael A. Glick

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