

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

NORTH CAROLINA STATE CONFERENCE OF)
THE NAACP, EMMANUEL BAPTIST CHURCH,)
NEW OXLEY HILL BAPTIST CHURCH,)
BETHEL A. BAPTIST CHURCH, COVENANT)
PRESBYTERIAN CHURCH, CLINTON)
TABERNACLE AME ZION CHURCH,)
BARBEE’S CHAPEL MISSIONARY BAPTIST)
CHURCH, INC., ROSANELL EATON,)
ARMENTA EATON, CAROLYN COLEMAN,)
BAHEEYAH MADANY, JOCELYN FERGUSON-)
KELLY, FAITH JACKSON, and MARY PERRY,)

Plaintiffs,

v.

PATRICK LLOYD MCCRORY, in his official)
capacity as the Governor of North Carolina, KIM)
WESTBROOK STRACH, in her official capacity as)
Executive Director of the North Carolina State)
Board of Elections, JOSHUA B. HOWARD, in his)
official capacity as Chairman of the North Carolina)
State Board of Elections, RHONDA K. AMOROSO,)
in her official capacity as Secretary of the North)
Carolina State Board of Elections, JOSHUA D.)
MALCOLM, in his official capacity as a member of)
the North Carolina State Board of Elections, PAUL)
J. FOLEY, in his official capacity as a member of)
the North Carolina State Board of Elections and)
MAJA KRICKER, in her official capacity as a)
member of the North Carolina State Board of)
Elections,)

Defendants.

**OPPOSITION TO UNITED
STATES’ MOTION TO
CONSOLIDATE**

Case No.: 1:13-CV-658

LEAGUE OF WOMEN VOTERS OF
NORTH CAROLINA, A. PHILIP
RANDOLPH INSTITUTE, UNIFOUR
ONESTOP COLLABORATIVE,
COMMON CAUSE NORTH CAROLINA,
GOLDIE WELLS, KAY BRANDON,
OCTAVIA RAINEY, SARA STOHLER,
and HUGH STOHLER,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, JOSHUA
B. HOWARD in his official capacity as a member of
the State Board of Elections, RHONDA K.
AMOROSO in her official capacity as a member of
the State Board of Elections, JOSHUA D.
MALCOLM in his official capacity as a member of
the State Board of Elections, PAUL J. FOLEY in his
official capacity as a member of the State Board of
Elections, MAJA KRICKER in her official capacity
as a member of the State Board of Elections, and
PATRICK LLOYD MCCRORY, in his official
capacity as the Governor of North Carolina,

Defendants.

Case No.: 1:13-CV-660

UNITED STATES OF AMERICA,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA; THE
NORTH CAROLINA STATE BOARD OF
ELECTIONS; and KIM W. STRACH, in her official
capacity as Executive Director of the North Carolina
State Board of Elections,

Defendants.

Case No.: 1:13-CV-861

OPPOSITION TO UNITED STATES' MOTION TO CONSOLIDATE

Plaintiffs in *North Carolina State Conference of the NAACP, et al. v. McCrory, et al.*, No. 1:13-cv-658 and *League of Women Voters of North Carolina, et al. v. North Carolina, et al.*, No. 1:13-cv-660 (collectively, "Plaintiffs") hereby respectfully oppose the United States' motion to consolidate the above captioned proceedings for all pretrial and trial proceedings. Plaintiffs oppose the United States' motion for the reasons set forth in its motion to consolidate for purposes of discovery only, which Plaintiffs filed concurrently with this opposition and incorporate here by reference. As set forth in detail in that motion, consolidating these actions for all purposes is inappropriate at this time for several reasons, including (1) there is no need to consolidate these actions for pretrial and trial proceedings at this early stage in litigation, (2) it is unnecessary to consolidate these actions for any other purpose than discovery at this time to achieve the benefits of consolidation, including avoiding costs and duplicative efforts, and (3) there are differences among the allegations in these cases that warrant postponing the decision to consolidate for summary judgment and trial until discovery is substantially complete. For these reasons, as more fully set forth in Plaintiffs' motion to consolidate for purposes of discovery only, Plaintiffs' respectfully request that the Court deny the United States' motion to consolidate these actions for pretrial and trial proceedings.

Dated: **December 4, 2013**

Respectfully submitted,

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Dated: **December 4, 2013**

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83.1(d)*

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CERTIFICATE OF SERVICE

I, Daniel T. Donovan, hereby certify that on **December 4, 2013**, I served Plaintiffs' **Opposition to United States' Motion to Consolidate** 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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