

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

---

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. )

Civil Action No. 1:13-CV-658

---

LEAGUE OF WOMEN VOTERS OF )  
NORTH CAROLINA, et al., )  
 )  
Plaintiffs, )  
 )  
v. )

THE STATE OF NORTH CAROLINA, et )  
al., )  
 )  
Defendants. )

Civil Action No. 1:13-CV-660

---

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )

THE STATE OF NORTH CAROLINA, et )  
al., )  
 )  
Defendants. )

Civil Action No. 1:13-CV-861

---

**DEFENDANTS' RESPONSE TO PLAINTIFFS' JOINT STATUS REPORT**

On September 18, 2015, plaintiffs filed a joint status report regarding “voter photo ID claims.” Defendants are responding to clarify their position on the status of the photo ID issue.

The “Joint Status Report” dated September 18, 2015, was filed without the review by or the approval of defendants. On at least two different occasions following the original joint status report filed by the plaintiffs on August 17, 2015, plaintiffs have represented that they would provide a proposed consent decree or settlement agreement for purposes of resolving plaintiffs’ photo ID claims. Plaintiffs finally proposed a consent order on Tuesday, September 29, 2015.

Plaintiffs’ proposed consent decree includes many items which defendants have previously advised plaintiffs are not acceptable to the defendants. In light of plaintiffs’ proposal, defendants believe that there is almost no chance of the parties reaching a settlement of the photo ID claims. In light of the upcoming filing deadlines (December 1, 2015) for the March 2016 primary, defendants request that the Court rule on defendants’ motion to dismiss plaintiffs’ photo ID claims as well as the other claims that have been tried. (*See* H.B. 373, Section 2(b)) (attached).

This the 7th day of October, 2015.

NORTH CAROLINA DEPARTMENT OF  
JUSTICE

/s/ Alexander McC. Peters  
Alexander McC. Peters  
Senior Deputy Attorney General  
N.C. State Bar No. 13654  
[apeters@ncdoj.gov](mailto:apeters@ncdoj.gov)

N.C. Department of Justice  
P.O. Box 629  
Raleigh, NC 27602  
Telephone: (919) 716-6900  
Facsimile: (919) 716-6763  
*Counsel for Defendants North Carolina and  
State Board of Election Defendants.*

OGLETREE, DEAKINS, NASH  
SMOAK & STEWART, P.C.

/s/ Thomas A. Farr

Thomas A. Farr  
N.C. State Bar No. 10871  
Phillip J. Strach  
N.C. State Bar No. 29456  
[thomas.farr@ogletreedeakins.com](mailto:thomas.farr@ogletreedeakins.com)  
[phil.strach@ogletreedeakins.com](mailto:phil.strach@ogletreedeakins.com)  
4208 Six Forks Road, Suite 1100  
Raleigh, North Carolina 27609  
Telephone: (919) 787-9700  
Facsimile: (919) 783-9412  
*Co-counsel for Defendants North Carolina  
and State Board of Election Defendants.*

BOWERS LAW OFFICE LLC

By: /s/ Karl S. Bowers, Jr.

Karl S. Bowers, Jr.\*

Federal Bar #7716

P.O. Box 50549

Columbia, SC 29250

Telephone: (803) 260-4124

E-mail: butch@butchbowers.com

\*appearing pursuant to Local Rule 83.1(d)

*Counsel for Governor Patrick L. McCrory*

By: /s/ Robert C. Stephens

Robert C. Stephens (State Bar #4150)

General Counsel

Office of the Governor of North Carolina

20301 Mail Service Center

Raleigh, North Carolina 27699

Telephone: (919) 814-2027

Facsimile: (919) 733-2120

E-mail: bob.stephens@nc.gov

*Counsel for Governor Patrick L. McCrory*

**CERTIFICATE OF SERVICE**

I, Thomas A. Farr, hereby certify that I have this day electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will provide electronic notification of the same to the following:

***Counsel for United States of America:***

T. Christian Herren, Jr.  
John A. Russ IV  
Catherine Meza  
David G. Cooper  
Spencer R. Fisher  
Elizabeth M. Ryan  
Jenigh Garrett  
Attorneys, Voting Section  
Civil Rights Division  
U.S. Department of Justice  
Room 7254-NWB  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Gill P. Beck  
Special Assistant United States Attorney  
Office of the United States Attorney  
United States Courthouse  
100 Otis Street  
Asheville, NC 28801

***Counsel for NCAAP Plaintiffs:***

Penda D. Hair  
Edward A. Hailes, Jr.  
Denise D. Liberman  
Donita Judge  
Caitlin Swain  
ADVANCEMENT PROJECT  
Suite 850  
1220 L Street, N.W.  
Washington, DC 20005  
phair@advancementproject.com

Adam Stein  
TIN FULTON WALKER & OWEN  
312 West Franklin Street  
Chapel Hill, NC 27516  
astein@tinfulton.com

Irving Joyner  
P.O. Box 374  
Cary, NC 27512  
ijoyner@ncsu.edu

Thomas D. Yannucci  
Daniel T. Donovan  
Susan M. Davies  
K. Winn Allen  
Uzoma Nkwonta  
Kim Knudson  
Anne Dechter  
Bridget O'Connor  
Jodi Wu  
Kim Rancour  
KIRKLAND & ELLIS LLP  
655 Fifteenth St., N.W.  
Washington, DC 20005  
tyannucci@kirkland.com

***Counsel for League of Women Voter  
Plaintiffs:***

Anita S. Earls  
Allison J. Riggs  
Clare R. Barnett  
Southern Coalition for Social Justice  
1415 Hwy. 54, Suite 101  
Durham, NC 27707  
anita@southerncoalition.org

Laughlin McDonald  
ACLU Voting Rights Project  
2700 International Tower  
229 Peachtree Street, NE  
Atlanta, GA 30303  
lmcdonald@aclu.org

Dale Ho  
Julie A. Ebenstein  
ACLU Voting Rights Project  
125 Broad Street  
New York, NY 10004  
dale.ho@aclu.org

Christopher Brook  
ACLU of North Carolina Legal Foundation  
PO Box 28004  
Raleigh, NC 27611-8004  
cbrook@acluofnc.org

***Counsel for the Intervening Plaintiffs:***

John M. Davaney  
jdevaney@perkinscoie.com  
Marc E. Elias  
melias@perkinscoie.com  
Kevin J. Hamilton  
khamilton@perkinscoie.com  
Elisabeth Frost  
efrost@perkinscoie.com  
PERKINS COIE, LLP  
700 Thirteenth Street, N.W., Suite 600  
Washington, D.C. 20005-3960

Edwin M. Speas, Jr.  
espeas@poynerspruill.com  
John W. O'Hale  
johale@poynerspruill.com  
Caroline P. Mackie  
cmackie@poynerspruill.com  
POYNER SPRUILL, LLP  
301 Fayetteville St., Suite 1900  
Raleigh, NC 27601

This the 7th day of October, 2015.

OGLETREE, DEAKINS, NASH  
SMOAK & STEWART, P.C.

/s/ Thomas A. Farr

Thomas A. Farr

22533364.1