

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

DEMOCRACY NORTH CAROLINA, THE LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA, DONNA PERMAR, JOHN P. CLARK, MARGARET B. CATES, LELIA BENTLEY, REGINA WHITNEY EDWARDS, ROBERT K. PRIDDY II, WALTER HUTCHINS, AND SUSAN SCHAFFER,

Plaintiffs,

v.

THE NORTH CAROLINA STATE BOARD OF ELECTIONS; DAMON CIRCOSTA, in his official capacity as Chair of the State Board of Elections; STELLA ANDERSON, in her official capacity as Secretary of the State Board of Elections; KEN RAYMOND, in his official capacity as Member of the State Board of Elections; JEFF CARMON III, in his official capacity as Member of the State Board of Elections; DAVID C. BLACK, in his official capacity as Member of the State Board of Elections; KAREN BRINSON BELL, in her official capacity as Executive Director of the State Board of Elections; THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION; J. ERIC BOYETTE, in his official capacity as Transportation Secretary; THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES; MANDY COHEN, in her official capacity as Secretary of Health and Human Services,

Defendants,

and

PHILIP E. BERGER, in his official capacity as President Pro Tempore of the North Carolina Senate, and TIMOTHY K. MOORE, in his official capacity as Speaker of the North Carolina House of Representatives,

Proposed Intervenors.

Civil Action No. 20-cv-00457

ANSWER OF PROPOSED INTERVENORS PHILIP E. BERGER, IN HIS OFFICIAL CAPACITY AS PRESIDENT PRO TEMPORE OF THE NORTH CAROLINA SENATE, AND TIMOTHY K. MOORE, IN HIS OFFICIAL CAPACITY AS SPEAKER OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.

Proposed Intervenor Philip E. Berger, in his official capacity as President Pro Tempore of the North Carolina Senate, and Timothy K. Moore, in his official capacity as Speaker of the North Carolina House of Representatives, by and through counsel, answer Plaintiffs' First Amended Complaint, Doc. 8, as follows:

1. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 1 of the First Amended Complaint; thus, they are deemed denied.

2. The allegations in Paragraph 2 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the remaining allegations in Paragraph 2 of the First Amended Complaint; thus, they are deemed denied.

3. The allegations in Paragraph 3 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 3 of the First Amended Complaint.

4. The allegations in Paragraph 4 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 4 of the First Amended Complaint.

5. The allegations in Paragraph 5 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 5 of the First Amended Complaint; thus, they are deemed denied.

6. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 6 of the First Amended Complaint; thus, they are deemed denied.

7. The allegations in Paragraph 7 of the First Amended Complaint contain

conclusions of law which require no answer. Proposed Intervenor deny any remaining factual allegations in Paragraph 7 of the First Amended Complaint.

8. The allegations in Paragraph 8 of the First Amended Complaint contain conclusions of law which require no answer. Sentence 3 in Paragraph 8 references statutes; those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any factual allegations in Paragraph 8 of the First Amended Complaint.

9. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 9 of the First Amended Complaint; thus, they are deemed denied.

10. The allegations in Paragraph 10 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 10 of the First Amended Complaint; thus, they are deemed denied.

11. The allegations in Paragraph 11 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 11 of the First Amended Complaint; thus, they are deemed denied.

12. The allegations in Paragraph 12 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 12 of the First Amended Complaint; thus, they are deemed denied.

13. Proposed Intervenor admit that venue is proper in this Court. Proposed

Intervenors lack sufficient information to respond to any factual allegations in Paragraph 13 of the First Amended Complaint; thus, they are deemed denied.

14. Proposed Intervenors lack sufficient information to respond to the allegations about the identity, purpose, and activities of Plaintiff Democracy North Carolina as alleged in Paragraph 14 of the First Amended Complaint; thus, they are deemed denied. Proposed Intervenors deny any remaining allegations in Paragraph 14 of the First Amended Complaint.

15. Proposed Intervenors lack sufficient information to respond to the allegations about the identity, purpose, and activities of Plaintiff League of Women Voters of North Carolina as alleged in Paragraph 15 of the First Amended Complaint; thus, they are deemed denied. Proposed Intervenors deny any remaining allegations in Paragraph 15 of the First Amended Complaint.

16. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 16 of the First Amended Complaint; thus, they are deemed denied.

17. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 17 of the First Amended Complaint; thus, they are deemed denied.

18. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 18 of the First Amended Complaint; thus, they are deemed denied.

19. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 19 of the First Amended Complaint; thus, they are deemed denied.

20. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 20 of the First Amended Complaint; thus, they are deemed denied.

21. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 21 of the First Amended Complaint; thus, they are deemed denied.

22. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 22 of the First Amended Complaint; thus, they are deemed denied.

23. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 23 of the First Amended Complaint; thus, they are deemed denied.

24. Proposed Intervenors admit that the North Carolina State Board of Elections is the agency responsible for the administration of the election laws of the State of North Carolina as alleged in Paragraph 24 of the First Amended Complaint.

25. Proposed Intervenors admit that Damon Circosta is the Chair of the North Carolina State Board of Elections and that he is sued in his official capacity as alleged in Paragraph 25 of the First Amended Complaint.

26. Proposed Intervenors admit that Stella Anderson is the Secretary of the North Carolina State Board of Elections and that she is sued in her official capacity as alleged in Paragraph 26 of the First Amended Complaint.

27. Proposed Intervenors admit that Ken Raymond is a Member of the North Carolina State Board of Elections and that he is sued in his official capacity as alleged in Paragraph 27 of the First Amended Complaint.

28. Proposed Intervenors admit that Jeff Carmon III is a Member of the North Carolina State Board of Elections and that he is sued in his official capacity as alleged in Paragraph 28 of the First Amended Complaint.

29. Proposed Intervenors admit that David C. Black is a Member of the North Carolina State Board of Elections and that he is sued in his official capacity as alleged in Paragraph 29 of the First Amended Complaint.

30. Proposed Intervenors admit that Karen Brinson Bell is the Executive Director

of the North Carolina State Board of Elections and that she is sued in her official capacity as alleged in Paragraph 30 of the First Amended Complaint.

31. Proposed Intervenors admit that the North Carolina Department of Transportation is the agency that implements the online voter registration system in the State of North Carolina as alleged in Paragraph 31 of the First Amended Complaint.

32. Proposed Intervenors admit that J. Eric Boyette is the Secretary of the North Carolina Department of Transportation and that he is sued in his official capacity as alleged in Paragraph 32 of the First Amended Complaint.

33. Proposed Intervenors admit that the North Carolina Department of Health and Human Services is the agency that administers online public benefits renewal in the State of North Carolina as alleged in Paragraph 33 of the First Amended Complaint.

34. Proposed Intervenors admit that Dr. Mandy Cohen is the Secretary of the North Carolina Department of Health and Human Services and that she is sued in her official capacity as alleged in Paragraph 34 of the First Amended Complaint.

35. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 35 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 35 of the First Amended Complaint relies on documents produced by the World Health Organization, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

36. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 36 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 36 of the First Amended Complaint relies on documents produced by the U.S.

Centers for Disease Control and Prevention, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

37. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 37 of the First Amended Complaint; thus, they are deemed denied.

38. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 38 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 38 of the First Amended Complaint relies on documents produced by the U.S. Centers for Disease Control and Prevention, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

39. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 39 of the First Amended Complaint; thus, they are deemed denied.

40. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 40 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 40 of the First Amended Complaint relies on documents produced by the U.S. Centers for Disease Control and Prevention and other scientific studies, those documents and studies speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

41. Proposed Intervenors admit that Governor of North Carolina Roy Cooper declared a State of Emergency on March 10, 2020 as alleged in sentence 1 in Paragraph 41 of the First Amended Complaint. Proposed Intervenors lack sufficient information to respond to

the other factual allegations in Paragraph 41; thus, they are deemed denied.

42. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 42 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 42 of the First Amended Complaint relies on documents produced by the Office of North Carolina Governor Roy Cooper, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

43. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 43 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 43 of the First Amended Complaint relies on documents produced by the Office of North Carolina Governor Roy Cooper, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

44. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 44 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 44 of the First Amended Complaint relies on documents produced by the North Carolina Department of Health and Human Services, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

45. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 45 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 45 of the First Amended Complaint relies on documents produced by the Office of North Carolina Governor Roy Cooper, those documents speak for themselves and are

evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

46. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 46 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 46 of the First Amended Complaint relies on statements or documents produced by Dr. Anthony Fauci or the National Institute of Allergy and Infectious Diseases, those statements or documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

47. Proposed Intervenors admit that the general election for all federal offices, including the presidential election, will be held on November 3, 2020 as alleged in sentence 1 in Paragraph 47 of the First Amended Complaint. Proposed Intervenors lack sufficient information to information to respond to any other factual allegations in Paragraph 47 of the First Amended Complaint; thus, they are deemed denied.

48. The allegations in Paragraph 48 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors lack sufficient information to respond to any factual allegations in Paragraph 48 of the First Amended Complaint; thus, they are deemed denied.

49. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 49 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 49 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs

from this evidence, that characterization is denied.

50. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 50 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 50 of the First Amended Complaint relies on documents produced by Board of Election Officials from eleven counties in North Carolina's 11th Congressional District, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

51. Sentences 3 and 4 in Paragraph 51 of the First Amended Complaint reference statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenors lack sufficient information to respond to any other factual allegations in Paragraph 51 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 51 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

52. Sentence 1 in Paragraph 52 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenors lack sufficient information to respond to any other factual allegations in Paragraph 52 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 52 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs

from this evidence, that characterization is denied.

53. Sentences 1 and 2 in Paragraph 53 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenor lack sufficient information to respond to any other factual allegations in Paragraph 53 of the First Amended Complaint; thus, they are deemed denied.

54. Sentence 2 in Paragraph 54 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenor lack sufficient information to respond to any other factual allegations in Paragraph 54 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 54 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

55. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 55 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 55 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

56. The first half of sentence 2 in Paragraph 56 of the First Amended Complaint references a statute; that statute speaks for itself. The allegations in the second half of sentence 2 in Paragraph 56 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any other factual

allegations in Paragraph 56 of the First Amended Complaint; thus, they are deemed denied.

57. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 57 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 57 of the First Amended Complaint relies on documents produced by the Wisconsin Elections Commission, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

58. Sentence 2 in Paragraph 58 of the First Amended Complaint contains conclusions of law that require no answer. To the extent that Paragraph 58 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors lack sufficient information to respond to any other factual allegations in Paragraph 58 of the First Amended Complaint; thus, they are deemed denied.

59. Sentences 1 and 2 in Paragraph 59 of the First Amended Complaint reference statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenors deny any remaining allegations in Paragraph 59 of the First Amended Complaint.

60. Paragraph 60 of the First Amended Complaint purports to characterize SB 683; this document speaks for itself and is evidence of its contents and to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors deny the remaining allegations in Paragraph 60 of the First Amended Complaint.

61. Sentence 2 in Paragraph 61 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenor deny the remaining allegations in Paragraph 61 of the First Amended Complaint.

62. Sentence 1 in Paragraph 62 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenor deny the remaining allegations in Paragraph 62 of the First Amended Complaint.

63. Sentence 2 in Paragraph 63 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenor deny any remaining allegations in Paragraph 63 of the First Amended Complaint.

64. Paragraph 64 contains conclusions of law that require no answer. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 64 of the First Amended Complaint; thus, they are deemed denied.

65. Sentence 1 in Paragraph 65 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. To the extent that Paragraph 65 of the First Amended Complaint relies on documents produced by Karen Brinson Bell, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 65 of the First Amended Complaint.

66. Sentences 2 and 3 in Paragraph 66 of the First Amended Complaint reference statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 66 of the First Amended Complaint; thus, they are deemed denied.

67. Sentence 1 in Paragraph 67 of the First Amended Complaint references a number of statutes; those statutes speak for themselves and are evidence of their contents. To the extent that Paragraph 67 of the First Amended Complaint relies on documents produced by the National Conference of State Legislatures and the U.S. Census Bureau, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 67 of the First Amended Complaint.

68. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 68 of the First Amended Complaint; thus, they are deemed denied.

69. Paragraph 69 of the First Amended Complaint includes conclusions of law that require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 69 of the First Amended Complaint; thus, they are deemed denied.

70. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 70 of the First Amended Complaint; thus, they are deemed denied.

71. Paragraph 71 of the First Amended Complaint includes conclusions of law that require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 71 of the First Amended Complaint; thus, they are deemed denied.

72. Paragraph 72 of the First Amended Complaint includes conclusions of law that require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 72 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 72 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are

evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

73. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 73 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 73 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

74. Paragraph 74 of the First Amended Complaint includes conclusions of law that require no answer. Proposed Intervenors lack sufficient information to respond to any factual allegations in Paragraph 74 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 74 of the First Amended Complaint relies on documents produced by the Centers for Disease Control and Prevention, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

75. Sentence 1 in Paragraph 75 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenors lack sufficient information to respond to any factual allegations in Paragraph 75 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 75 of the First Amended Complaint relies on documents produced by the North Carolina State Board of Elections, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

76. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 76 of the First Amended Complaint; thus, they are deemed denied. To the extent that Paragraph 76 of the First Amended Complaint relies on documents produced by the U.S. Election Assistance Commission, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied.

77. To the extent that Paragraph 77 of the First Amended Complaint relies on letters sent from Karen Brinson Bell and Board of Election Members in Congressional District 11, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors lack sufficient information to respond to any other allegations in Paragraph 77 of the First Amended Complaint; thus, they are deemed denied.

78. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 78 of the First Amended Complaint; thus, they are deemed denied.

79. Sentence 2 in Paragraph 79 of the First Amended Complaint references statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenors lack sufficient information to respond to any other allegations in Paragraph 79 of the First Amended Complaint; thus, they are deemed denied.

80. Paragraph 80 of the First Amended Complaint purports to characterize the legislative history of North Carolina's uniform hour requirement for voting sites; documents from the legislative history speak for themselves and are evidence of their contents, and to the extent that the characterization in the First Amended Complaint differs from this evidence,

that characterization is denied. Proposed Intervenors lack sufficient information to respond to any factual allegations in Paragraph 80 of the First Amended Complaint; thus, they are deemed denied.

81. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 81 of the First Amended Complaint; thus, they are deemed denied.

82. Sentences 2, 3, and 4 in Paragraph 82 of the First Amended Complaint reference statutes; those statutes speak for themselves and are evidence of their contents. Proposed Intervenors lack sufficient information to respond to any other allegations in Paragraph 82 of the First Amended Complaint; thus, they are deemed denied.

83. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 83 of the First Amended Complaint; thus, they are deemed denied.

84. Proposed Intervenors reallege and reincorporate the responses to the allegations in Paragraphs 1 through 83 of this Answer.

85. To the extent that Paragraph 85 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Burdick v. Takushi*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors deny any remaining allegations in Paragraph 85 of the First Amended Complaint.

86. To the extent that Paragraph 86 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Clingman v. Beaver* and the Fourth Circuit's decision in *NAACP v. McCrory*, those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors deny any remaining

allegations in Paragraph 86 of the First Amended Complaint.

87. The allegations in Paragraph 87 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 87 of the First Amended Complaint.

88. The allegations in Paragraph 88 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 88 of the First Amended Complaint.

89. The allegations in Paragraph 89 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 89 of the First Amended Complaint.

90. The allegations in Paragraph 90 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 90 of the First Amended Complaint.

91. The allegations in Paragraph 91 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 91 of the First Amended Complaint.

92. The allegations in Paragraph 92 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 92 of the First Amended Complaint.

93. The allegations in Paragraph 93 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 93 of the First Amended Complaint.

94. The allegations in Paragraph 94 of the First Amended Complaint contain

conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 94 of the First Amended Complaint.

95. The allegations in Paragraph 95 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 95 of the First Amended Complaint regarding the individual Plaintiffs; thus, they are deemed denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 95 of the First Amended Complaint.

96. The allegations in Paragraph 96 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 96 of the First Amended Complaint.

97. The allegations in Paragraph 97 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 97 of the First Amended Complaint regarding the individual Plaintiffs; thus, they are deemed denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 97 of the First Amended Complaint.

98. The allegations in Paragraph 98 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 98 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Burdick v. Takushi*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 98 of the First Amended Complaint.

99. The allegations in Paragraph 99 of the First Amended Complaint contain

conclusions of law which require no answer. To the extent that Paragraph 99 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Clingman v. Beaver* and the Fourth Circuit's decision in *NAACP v. McCrory*, those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 99 of the First Amended Complaint.

100. The allegations in Paragraph 100 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 100 of the First Amended Complaint; thus, they are deemed denied.

101. The allegations in Paragraph 101 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 101 of the First Amended Complaint.

102. The allegations in Paragraph 102 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 102 of the First Amended Complaint.

103. The allegations in Paragraph 103 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 103 of the First Amended Complaint purports to characterize the Northern District of Illinois' decision in *Ury v. Santee* and the Sixth Circuit's decision in *League of Women Voters of Ohio v. Brunner*, those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph

103 of the First Amended Complaint.

104. The allegations in Paragraph 104 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 104 of the First Amended Complaint; thus, they are deemed denied.

105. The allegations in Paragraph 105 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 105 of the First Amended Complaint.

106. The allegations in Paragraph 106 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 106 of the First Amended Complaint purports to characterize the Northern District of Illinois' decision in *Ury v. Santee*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 106 of the First Amended Complaint.

107. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 107 of the First Amended Complaint; thus, they are deemed denied.

108. The allegations in Paragraph 108 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 108 of the First Amended Complaint.

109. The allegations in Paragraph 109 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations regarding the Plaintiffs in Paragraph 109 of the First Amended

Complaint; thus, they are deemed denied. Proposed Intervenors deny any remaining factual allegations in Paragraph 109 of the First Amended Complaint.

110. The allegations in Paragraph 110 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 110 of the First Amended Complaint.

111. The allegations in Paragraph 111 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 111 of the First Amended Complaint.

112. The allegations in Paragraph 112 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 112 of the First Amended Complaint.

113. Proposed Intervenors reallege and reincorporate the responses to the First Amended Complaint's allegations in Paragraphs 1 through 112 of this Answer.

114. The allegations in Paragraph 114 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 114 of the First Amended Complaint.

115. The allegations in Paragraph 115 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 115 of the First Amended Complaint.

116. The allegations in Paragraph 116 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 116 of the First Amended Complaint purports to characterize the Eleventh Circuit's decision in *McCabe v. Sharrett*, the Sixth Circuit's decision in *Kallstrom v. City of Columbus*, and the Supreme

Court's decision in *Dunn v. Blumstein*, those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 116 of the First Amended Complaint.

117. The allegations in Paragraph 117 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 117 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Missouri v. McNeely* and the Sixth Circuit's decision in *Guertin v. Michigan*, those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 117 of the First Amended Complaint.

118. The allegations in Paragraph 118 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 118 of the First Amended Complaint purports to characterize the Sixth Circuit's decision in *Guertin v. Michigan*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 118 of the First Amended Complaint.

119. The allegations in Paragraph 119 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 119 of the First Amended Complaint; thus, they are deemed denied.

120. The allegations in Paragraph 120 of the First Amended Complaint contain

conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 120 of the First Amended Complaint.

121. The allegations in Paragraph 121 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 121 of the First Amended Complaint.

122. Proposed Intervenor reallege and reincorporate the responses to the First Amended Complaint's allegations in Paragraphs 1 through 121 of this Answer.

123. The allegations in Paragraph 123 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 123 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Norman v. Reed*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any factual allegations in Paragraph 123 of the First Amended Complaint.

124. The allegations in Paragraph 124 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations regarding the Plaintiffs in Paragraph 124 of the First Amended Complaint; thus, they are deemed denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 124 of the First Amended Complaint.

125. The allegations in Paragraph 125 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 125 of the First Amended Complaint.

126. Proposed Intervenor reallege and reincorporate the responses to the First

Amended Complaint's allegations in Paragraphs 1 through 125 of this Answer.

127. The allegations in Paragraph 127 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 127 of the First Amended Complaint purports to characterize the Fourteenth Amendment of the United States Constitution, the Fourth Circuit's decision in *United States v. Baker*, and the Sixth Circuit's decision in *Wilkinson v. Austin*, the text of the Constitution and those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 127 of the First Amended Complaint.

128. The allegations in Paragraph 128 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 128 of the First Amended Complaint purports to characterize the Fourth Circuit's decision in *Snider International Corp. v. Town of Forest Heights*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 128 of the First Amended Complaint.

129. The allegations in Paragraph 129 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 129 of the First Amended Complaint purports to characterize the Fourth Circuit's decision in *Snider International Corp. v. Town of Forest Heights*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 129 of the First Amended Complaint.

130. The allegations in Paragraph 130 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 130 of the First Amended Complaint purports to characterize the Fourth Circuit's decisions in *Snider International Corp. v. Town of Forest Heights* and *Sciolino v. City of Newport News, Va.*, those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 130 of the First Amended Complaint.

131. The allegations in Paragraph 131 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 131 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Cleveland Board of Education v. Loudermill* and the Fourth Circuit's decision in *Sciolino v. City of Newport News, Va.*, those decisions speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 131 of the First Amended Complaint.

132. The allegations in Paragraph 132 of the First Amended Complaint contain conclusions of law which require no answer. To the extent that Paragraph 132 of the First Amended Complaint purports to characterize the Supreme Court's decision in *Gill v. Whitford*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining allegations in Paragraph 132 of the First Amended Complaint.

133. The allegations in Paragraph 133 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 133 of the First Amended Complaint.

134. The allegations in Paragraph 134 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 134 of the First Amended Complaint.

135. The allegations in Paragraph 135 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations regarding the Plaintiffs in Paragraph 135 of the First Amended Complaint; thus, they are deemed denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 135 of the First Amended Complaint.

136. The allegations in Paragraph 136 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 136 of the First Amended Complaint.

137. The allegations in Paragraph 137 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 137 of the First Amended Complaint.

138. The allegations in Paragraph 138 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 138 of the First Amended Complaint.

139. The allegations in Paragraph 139 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 139 of the First Amended Complaint.

140. Proposed Intervenors reallege and reincorporate the responses to the First Amended Complaint's allegations in Paragraphs 1 through 139 of this Answer.

141. The allegations in Paragraph 141 of the First Amended Complaint contain conclusions of law which require no answer. To the extent Paragraph 141 purports to characterize Title II of the Americans with Disabilities Act, that Act speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors deny any factual allegations in Paragraph 141 of the First Amended Complaint.

142. The allegations in Paragraph 142 of the First Amended Complaint contain conclusions of law which require no answer. To the extent Paragraph 142 purports to characterize the Fourth Circuit's decision in *Heiko v. Colombo Savings Bank*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors deny any factual allegations in Paragraph 142 of the First Amended Complaint.

143. The allegations in Paragraph 143 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors lack sufficient information to respond to the allegations regarding the Plaintiffs in Paragraph 143 of the First Amended Complaint; thus, they are deemed denied. Proposed Intervenors deny any remaining factual allegations in Paragraph 143 of the First Amended Complaint.

144. Proposed Intervenors lack sufficient information to respond to the allegations in Paragraph 144 of the First Amended Complaint; thus, they are deemed denied. To the extent Paragraph 144 of the First Amended Complaint purports to characterize unnamed documents or statements produced by the Centers for Disease Control and Prevention, those documents

or statements speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any factual allegations in Paragraph 144 of the First Amended Complaint.

145. The allegations in Paragraph 145 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations regarding Plaintiff Hutchins in Paragraph 145 of the First Amended Complaint; thus, they are deemed denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 145 of the First Amended Complaint.

146. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 146 of the First Amended Complaint; thus, they are deemed denied. To the extent Paragraph 146 of the First Amended Complaint purports to characterize unnamed documents produced by the Centers for Disease Control and Prevention, those documents speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 146 of the First Amended Complaint.

147. The allegations in Paragraph 147 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 147 of the First Amended Complaint regarding Plaintiff Hutchins; thus, they are deemed denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 147 of the First Amended Complaint.

148. The allegations in Paragraph 148 of the First Amended Complaint contain

conclusions of law which require no answer. Proposed Intervenors deny any factual allegations in Paragraph 148 of the First Amended Complaint.

149. Proposed Intervenors reallege and reincorporate the responses to the First Amended Complaint's allegations in Paragraphs 1 through 148 of this Answer.

150. The allegations in Paragraph 150 of the First Amended Complaint contain conclusions of law which require no answer. To the extent Paragraph 150 purports to characterize Section 504 of the Rehabilitation Act, that Act speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors deny any factual allegations in Paragraph 150 of the First Amended Complaint.

151. The allegations in Paragraph 151 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenors admit that the State of North Carolina receives federal funding to conduct its elections as stated in Paragraph 151 of the First Amended Complaint. Proposed Intervenors deny any remaining factual allegations in Paragraph 151 of the First Amended Complaint.

152. The allegations in Paragraph 152 of the First Amended Complaint contain conclusions of law which require no answer. To the extent Paragraph 152 of the First Amended Complaint seeks to characterize the Fourth Circuit's decision in *Heiko v. Colombo Savings Bank*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenors deny any factual allegations in Paragraph 152 of the First Amended Complaint.

153. The allegations in Paragraph 153 of the First Amended Complaint contain

conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to any factual allegations in Paragraph 153 of the First Amended Complaint; thus, they are deemed denied.

154. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 154 of the First Amended Complaint; thus, they are deemed denied.

155. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 155 of the First Amended Complaint regarding Plaintiff Hutchins; thus, they are deemed denied. To the extent Paragraph 155 of the First Amended Complaint references statutes, those statutes speak for themselves and are evidence of their contents. Proposed Intervenor deny any remaining factual allegations in Paragraph 155 of the First Amended Complaint.

156. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 156 of the First Amended Complaint regarding the Plaintiffs; thus, they are deemed denied. To the extent Paragraph 156 of the First Amended Complaint purports to characterize unnamed documents or statements produced by the Centers for Disease Control and Prevention, those documents or statements speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 156 of the First Amended Complaint.

157. The allegations in Paragraph 157 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 157 of the First Amended Complaint regarding the Plaintiff Hutchins; thus, they are deemed denied. Proposed Intervenor deny any remaining

factual allegations in Paragraph 157 of the First Amended Complaint.

158. The allegations in Paragraph 158 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 158 of the First Amended Complaint.

159. Proposed Intervenor reallege and reincorporate the responses to the First Amended Complaint's allegations in Paragraphs 1 through 158 of this Answer.

160. The allegations in Paragraph 160 of the First Amended Complaint contain conclusions of law which require no answer. To the extent Paragraph 160 purports to characterize Title II of the Americans with Disabilities Act, that Act speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any factual allegations in Paragraph 160 of the First Amended Complaint.

161. The allegations in Paragraph 161 of the First Amended Complaint contain conclusions of law which require no answer.

162. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 162 of the First Amended Complaint regarding Plaintiffs; thus, they are deemed denied. To the extent Paragraph 162 of the First Amended Complaint purports to characterize unnamed documents or statements produced by the Centers for Disease Control and Prevention, those documents or statements speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 162 of the First Amended Complaint.

163. The allegations in Paragraph 163 of the First Amended Complaint contain

conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 163 of the First Amended Complaint.

164. The allegations in Paragraph 164 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 164 of the First Amended Complaint.

165. Proposed Intervenor reallege and reincorporate the responses to the First Amended Complaint's allegations in Paragraphs 1 through 164 of this Answer.

166. The allegations in Paragraph 166 of the First Amended Complaint contain conclusions of law which require no answer. To the extent Paragraph 166 purports to characterize Section 504 of the Rehabilitation Act, that Act speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any factual allegations in Paragraph 166 of the First Amended Complaint.

167. The allegations in Paragraph 167 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor admit that the State of North Carolina receives federal funding to conduct its elections. Proposed Intervenor deny any remaining factual allegations in Paragraph 167 of the First Amended Complaint.

168. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 168 of the First Amended Complaint regarding Plaintiffs; thus, they are deemed denied. To the extent Paragraph 168 of the First Amended Complaint purports to characterize unnamed documents or statements produced by the Centers for Disease Control and Prevention, those documents or statements speak for themselves and are evidence of their contents; to the extent that the characterization in the First Amended Complaint differs from

this evidence, that characterization is denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 168 of the First Amended Complaint.

169. The allegations in Paragraph 169 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 169 of the First Amended Complaint.

170. The allegations in Paragraph 170 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 170 of the First Amended Complaint.

171. Proposed Intervenor reallege and reincorporate the responses to the First Amended Complaint's allegations in Paragraphs 1 through 170 of this Answer.

172. Paragraph 172 of the First Amended Complaint contains conclusions of law that require no answer. To the extent Paragraph 172 of the First Amended Complaint references Section 208 of the Voting Rights Act, that Act speaks for itself and is evidence of its contents. Proposed Intervenor deny any factual allegations in Paragraph 172 of the First Amended Complaint.

173. Paragraph 173 of the First Amended Complaint contains conclusions of law that require no answer. To the extent Paragraph 173 of the First Amended Complaint references the Voting Rights Act, that Act speaks for itself and is evidence of its contents. To the extent Paragraph 173 of the First Amended Complaint references the Fifth Circuit's decision in *OCA-Greater Houston v. Texas*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any factual allegations in Paragraph 173 of the First Amended Complaint.

174. Paragraph 174 of the First Amended Complaint contains conclusions of law that require no answer. To the extent Paragraph 174 of the First Amended Complaint references the Voting Rights Act, that Act speaks for itself and is evidence of its contents. To the extent Paragraph 174 of the First Amended Complaint references the Fifth Circuit's decision in *OCA-Greater Houston v. Texas*, that decision speaks for itself and is evidence of its contents; to the extent that the characterization in the First Amended Complaint differs from this evidence, that characterization is denied. Proposed Intervenor deny any factual allegations in Paragraph 174 of the First Amended Complaint.

175. The allegations in Paragraph 175 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 175 of the First Amended Complaint.

176. The allegations in Paragraph 176 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 176 of the First Amended Complaint.

177. The allegations in Paragraph 177 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor lack sufficient information to respond to the allegations in Paragraph 177 of the First Amended Complaint regarding Plaintiff Hutchins; thus, they are deemed denied. Proposed Intervenor deny any remaining factual allegations in Paragraph 177 of the First Amended Complaint.

178. The allegations in Paragraph 178 of the First Amended Complaint contain conclusions of law which require no answer. Proposed Intervenor deny any factual allegations in Paragraph 178 of the First Amended Complaint.

179. The unnumbered paragraph on page 74 of the First Amended Complaint under

“PRAYER FOR RELIEF” consists of a prayer for relief that does not require a response. To the extent a response is required, Proposed Intervenors deny that Plaintiffs are entitled to, or that this Court has jurisdiction to grant, the relief described.

180. Proposed Intervenors deny each and every allegation not expressly admitted herein.

First Affirmative Defense

Plaintiffs’ First Amended Complaint, in whole or in part, fails to state a claim upon which relief can be granted and should be dismissed.

Second Affirmative Defense

Plaintiffs lack standing to assert the claims in their First Amended Complaint.

Third Affirmative Defense

Plaintiffs’ claims are not ripe.

WHEREFORE, Proposed Intervenors respectfully request that this Court dismiss Plaintiffs’ claims with prejudice, deny Plaintiffs’ prayer for relief, order Plaintiffs to pay Proposed Intervenors’ costs and attorneys’ fees, and grant other relief deemed just and proper.

Dated: June 10, 2020

Respectfully submitted,

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