

STATE OF NORTH CAROLINA )

COUNTY OF WAKE )

JABARI HOLMES, FRED CULP, )  
DANIEL E. SMITH, BRENDON )  
JADEN PEAY, SHAKOYA CARRIE )  
BROWN, AND PAUL KEARNEY, SR., )

PLAINTIFFS, )

vs. )

TIMOTHY K. MOORE *in his official* )  
*capacity as Speaker of the North Carolina* )  
*House of Representatives;* PHILIP E. )  
BERGER *in his official capacity as* )  
*President Pro Tempore of the North* )  
*Carolina Senate;* DAVID R. LEWIS, )  
*in his official capacity as Chairman of* )  
*the House Select Committee on Elections* )  
*for the 2018 Third Extra Session;* RALPH )  
E. HISE, *in his official capacity as* )  
*Chairman of the Senate Select Committee* )  
*on Elections for the 2018 Third Extra* )  
*Session;* THE STATE OF NORTH )  
CAROLINA; *and* THE NORTH )  
CAROLINA STATE BOARD OF )  
ELECTIONS, )

DEFENDANTS. )

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

CASE NO. 18 CVS 15292

FILED  
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BT

ANSWER

Defendants Philip E. Berger, in his official capacity as President Pro Tempore of the North Carolina Senate; Timothy K. Moore, in his official capacity as Speaker of the North Carolina House of Representatives; David R. Lewis, in his official capacity as Chairman of the House Select Committee on Elections for the 2018 Third Extra Session; and Ralph E. Hise, in his official capacity as Chairman of the Senate Select Committee on Elections for the 2018 Third Extra Session, by and through counsel, answer Plaintiffs' Complaint, Doc. 1, as follows:

1. The allegations in Paragraph 1 of the Complaint contain conclusions of law which require no answer. To the extent that Paragraph 1 of the Complaint purports to characterize the North Carolina Constitution and *Blankenship v. Bartlett*, 363 N.C. 518 (2009), those documents speak for themselves and are the best evidence of their contents; to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all factual allegations in Paragraph 1 of the Complaint.

2. To the extent that Paragraph 2 of the Complaint purports to characterize the North Carolina Constitution, that document speaks for itself and is the best evidence of its contents; to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 2 of the Complaint. Paragraph 2 of the Complaint otherwise contains conclusions of law which require no answer.

3. Defendants admit (1) that the General Assembly passed Senate Bill 824 ("S.B. 824") on December 6, 2018; (2) that the General Assembly presented S.B. 824 to Governor Cooper on December 6, 2018; (3) that Governor Cooper vetoed S.B. 824 on December 14, 2018; and (4) that the General Assembly overrode Governor Cooper's veto on December 19, 2018. Defendants

deny all remaining factual allegations in Paragraph 3 of the Complaint. Paragraph 3 of the Complaint otherwise contains conclusions of law which require no answer.

4. Defendants admit that in *North Carolina State Conference of NAACP v. McCrory*, 831 F.3d 204 (4th Cir. 2016), a panel of the Fourth Circuit invalidated a different North Carolina statute that included different voter ID provisions. To the extent that Paragraph 4 of the Complaint purports to characterize the panel's decision, the legislative history of that different voter ID provision, and the text of that voter ID provision, those documents speak for themselves and are the best evidence of their contents; to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 4 of the Complaint.

5. Defendants admit that S.B. 824 became law on December 19, 2018, after the General Assembly overrode Governor Cooper's veto. Defendants deny all remaining factual allegations in Paragraph 5 of the Complaint. Paragraph 5 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

6. Defendants acknowledge that in the Complaint Plaintiffs request that the Court declare certain provisions of S.B. 824 unlawful and enter an injunction allowing voters to cast ballots without producing an ID, but Defendants deny that Plaintiffs are entitled to any such relief. Paragraph 6 of the Complaint otherwise contains conclusions of law which require no answer. Defendants deny all factual allegations in Paragraph 6 of the Complaint.

7. The allegations in Paragraph 7 of the Complaint contain conclusions of law which require no answer.

8. Defendants admit that venue is proper in this Court.

9. The allegations in Paragraph 9 of the Complaint contain conclusions of law which require no answer.

10. Defendants lack sufficient information to respond to the factual allegations in Paragraph 10 of the Complaint; thus, they are deemed denied.

11. Defendants deny the allegation that the Wake County Board of Elections “is located in downtown Raleigh, on a busy road with no handicapped parking spots anywhere close to where he would need to present in order to obtain that alternate form of ID.” Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 11 of the Complaint; thus, they are deemed denied.

12. Defendants lack sufficient information to respond to the factual allegations in Paragraph 12 of the Complaint; thus, they are deemed denied. To the extent that Paragraph 12 contains conclusions of law, those conclusions of law require no answer.

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

14. Defendants lack sufficient information to respond to the factual allegations in Paragraph 14 of the Complaint; thus, they are deemed denied. To the extent that Paragraph 14 contains conclusions of law, those conclusions of law require no answer.

15. Defendants lack sufficient information to respond to the factual allegations in Paragraph 15 of the Complaint; thus, they are deemed denied.

16. Defendants deny the allegation that “because [Mr. Culp] does not drive, traveling to the County Board of Elections to obtain the alternate form of ‘free’ ID would be burdensome and costly.” Defendants lack sufficient information to respond to the remaining factual allegations

in Paragraph 16 of the Complaint; thus, they are deemed denied. To the extent that Paragraph 16 contains conclusions of law, those conclusions of law require no answer.

17. Defendants lack sufficient information to respond to the factual allegations in Paragraph 17 of the Complaint; thus, they are deemed denied. To the extent that Paragraph 17 contains conclusions of law, those conclusions of law require no answer.

18. Defendants lack sufficient information to respond to the factual allegations in Paragraph 18 of the Complaint; thus, they are deemed denied.

19. Paragraph 19 of the Complaint contains conclusions of law which require no answer. Defendants deny all factual allegations in Paragraph 19 of the Complaint.

20. Defendants lack sufficient information to respond to the factual allegations in Paragraph 20 of the Complaint; thus, they are deemed denied.

21. Defendants lack sufficient information to respond to the factual allegations in Paragraph 21 of the Complaint; thus, they are deemed denied.

22. Defendants deny the allegation that “[u]nder Senate Bill 824, it is unclear whether [Mr. Peay’s] student ID from North Carolina Central University will satisfy the same level of proof of identity as a North Carolina driver’s license or whether his university will be able to reissue compliant IDs if the existing IDs do not satisfy the requirements of Senate Bill 824.” Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 22 of the Complaint; thus, they are deemed denied. Paragraph 22 of the Complaint otherwise contains conclusions of law which require no answer.

23. Defendants lack sufficient information to respond to the factual allegations in Paragraph 23 of the Complaint; thus, they are deemed denied.

24. Paragraph 24 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 24 of the Complaint; thus, they are deemed denied.

25. Defendants lack sufficient information to respond to the factual allegations in Paragraph 25 of the Complaint; thus, they are deemed denied.

26. Paragraph 26 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 26 of the Complaint; thus, they are deemed denied.

27. Defendants admit that Timothy K. Moore is being sued in his official capacity as Speaker of the North Carolina House of Representatives.

28. Defendants admit that Philip E. Berger is being sued in his official capacity as President Pro Tempore of the North Carolina Senate.

29. Paragraph 29 of the Complaint contains conclusions of law which require no answer.

30. Paragraph 30 of the Complaint contains conclusions of law which require no answer.

31. Paragraph 31 of the Complaint contains conclusions of law which require no answer.

32. Paragraph 32 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 32 of the Complaint; thus, they are deemed denied.

33. Paragraph 33 of the Complaint purports to characterize the legislative history of a voter ID provision that differs from the one at issue in this case; documents from the legislative

history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 33 of the Complaint and in the heading preceding Paragraph 33 of the Complaint.

34. Paragraph 34 of the Complaint purports to characterize the legislative histories of voter ID provisions that differ from the one at issue in this case and the litigation history of *NAACP v. McCrory*, 182 F. Supp. 3d 320 (M.D.N.C. 2016); documents from those legislative histories and that litigation speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 34 of the Complaint.

35. Defendants admit that in *NAACP v. McCrory*, 831 F.3d 204, a panel of the Fourth Circuit invalidated a different North Carolina statute that included different voter ID provisions. To the extent that Paragraph 35 of the Complaint purports to characterize the panel's decision, that decision speaks for itself and is the best evidence of its contents; to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 35 of the Complaint; thus, they are deemed denied.

36. Paragraph 36 of the Complaint purports to characterize the legislative history leading up to the November 6, 2018, adoption of a state constitutional amendment; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

37. Defendants lack sufficient information to respond to the factual allegations in Paragraph 37 of the Complaint; thus, they are deemed denied.

38. Paragraph 38 of the Complaint purports to broadly characterize election results in 2018; the results of those elections speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 38 of the Complaint.

39. Paragraph 39 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

40. Paragraph 40 of the Complaint purports to characterize the November 6, 2018, adoption of a state constitutional amendment and S.B. 824; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 40 of the Complaint; thus, they are deemed denied. Paragraph 40 of the Complaint otherwise contains conclusions of law which require no answer.

41. Paragraph 41 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants note that House Bill 646 (“H.B. 646”) changed a number of the provisions in S.B. 824 that Paragraph 41 of

the Complaint purports to describe, and to the extent H.B. 646 amended S.B. 824, the Complaint's description of S.B. 824 does not accurately describe the current state of the law in North Carolina.

42. Paragraph 42 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

43. Paragraph 43 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants note that H.B. 646 changed a number of the provisions in S.B. 824 that Paragraph 43 of the Complaint purports to describe, and to the extent H.B. 646 amended S.B. 824, the Complaint's description of S.B. 824 does not accurately describe the current state of the law in North Carolina.

44. Paragraph 44 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants note that H.B. 646 changed a number of the provisions in S.B. 824 that Paragraph 44 of the Complaint purports to describe, and to the extent H.B. 646 amended S.B. 824, the Complaint's description of S.B. 824 does not accurately describe the current state of the law in North Carolina.

45. Paragraph 45 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

46. Paragraph 46 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

47. Paragraph 47 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

48. Paragraph 48 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

49. Paragraph 49 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

50. Paragraph 50 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

51. Paragraph 51 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

52. Paragraph 52 of the Complaint purports to characterize the rules governing issuance of an ID card from the North Carolina Division of Motor Vehicles; those rules speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to any additional factual allegations in Paragraph 52 of the Complaint; thus, they are deemed denied. Paragraph 52 of the Complaint otherwise contains conclusions of law which require no answer.

53. Paragraph 53 of the Complaint purports to characterize the rules governing issuance of an ID card from the North Carolina Division of Motor Vehicles; those rules speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

54. Paragraph 54 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 54 of the Complaint.

55. Paragraph 55 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 55 of the Complaint.

56. Paragraph 56 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

57. Paragraph 57 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

58. Paragraph 58 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

59. Paragraph 59 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in

the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 59 of the Complaint.

60. Paragraph 60 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 60 of the Complaint and in the heading preceding Paragraph 60 of the Complaint. Paragraph 60 of the Complaint otherwise contains conclusions of law which require no answer.

61. Paragraph 61 of the Complaint purports to characterize the legislative history of S.B. 824 and S.B. 824 itself; documents from the legislative history and S.B. 824 itself speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 61 of the Complaint.

62. Paragraph 62 of the Complaint purports to characterize the legislative history of S.B. 824 and S.B. 824 itself; documents from the legislative history and S.B. 824 itself speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

63. Paragraph 63 of the Complaint purports to characterize the legislative history of S.B. 824 and S.B. 824 itself; documents from the legislative history and S.B. 824 itself speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

64. Paragraph 64 of the Complaint purports to characterize the legislative history of S.B. 824 and S.B. 824 itself; documents from the legislative history and S.B. 824 itself speak for

themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 64 of the Complaint; thus, they are deemed denied.

65. Paragraph 65 of the Complaint purports to characterize the legislative histories of S.B. 824 and two other, different voter ID provisions; documents from these legislative histories speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 65 of the Complaint. Paragraph 65 of the Complaint otherwise contains conclusions of law which require no answer.

66. Paragraph 66 of the Complaint purports to characterize a district court order in a case that did not involve voter ID called *Carcaño v. McCrory*, No. 1:16-cv-236, Memo. Op. and Order (M.D.N.C Sept. 30, 2018); that order speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 66 of the Complaint otherwise contains conclusions of law which require no answer.

67. Paragraph 67 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 67 of the Complaint. Paragraph 67 of the Complaint otherwise contains conclusions of law which require no answer.

68. Defendants admit that the General Assembly passed S.B. 824 on December 6, 2018. To the extent that Paragraph 68 of the Complaint purports to characterize the legislative history of S.B. 824, documents from the legislative history speak for themselves and are the best evidence of their contents; to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

69. Defendants admit that a draft of S.B. 824 passed its third reading in the Senate by a vote of 30 to 10, and a new draft of S.B. 824 with amendments passed its third reading in the House by a vote of 67 to 40. Defendants also admit that the Senate concurred in the House's amended bill by a vote of 25 to 7.

70. Defendants admit that the General Assembly presented S.B. 824 to Governor Cooper on December 6, 2018, and that Governor Cooper vetoed S.B. 824 on December 14, 2018.

71. Defendants admit that the General Assembly overrode Governor Cooper's veto, and that the Senate did so by a vote of 33 to 12 on December 18, 2018, and that the House of Representatives did so by a vote of 72 to 40 on December 19, 2018. Defendants admit that this made S.B. 824 the law of North Carolina. Defendants deny all remaining factual allegations in Paragraph 71 of the Complaint.

72. Paragraph 72 of the Complaint purports to characterize the legislative histories of S.B. 824 and a different voter ID provision; documents from these legislative histories speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 72 of the Complaint and in the heading preceding Paragraph 72 of the Complaint; thus, they are deemed

denied. Paragraph 72 of the Complaint otherwise contains conclusions of law which require no answer.

73. The allegations in Paragraph 73 of the Complaint contain conclusions of law which require no answer. Defendants deny all factual allegations in Paragraph 73 of the Complaint.

74. Defendants lack sufficient information to respond to the factual allegations in Paragraph 74 of the Complaint; thus, they are deemed denied.

75. Paragraph 75 of the Complaint purports to characterize information from unidentified experts in unidentified litigation challenging a different voter ID law; the reports and testimony of those experts speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

76. Paragraph 76 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 76 of the Complaint.

77. The allegations in Paragraph 77 of the Complaint contain conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 77 of the Complaint; thus, they are deemed denied.

78. Paragraph 78 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

79. Paragraph 79 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 79 of the Complaint and in the heading preceding Paragraph 79 of the Complaint. Paragraph 79 of the Complaint and the heading preceding Paragraph 79 of the Complaint otherwise contain conclusions of law which require no answer.

80. Paragraph 80 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 80 of the Complaint; thus, they are deemed denied.

81. Paragraph 81 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

82. Paragraph 82 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 82 of the Complaint also purports to characterize other states' laws, regulations, and policies; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 82 of the Complaint; thus, they are deemed denied.

83. Defendants lack sufficient information to respond to the factual allegations in Paragraph 83 of the Complaint; thus, they are deemed denied.

84. Defendants lack sufficient information to respond to the factual allegations in Paragraph 84 of the Complaint; thus, they are deemed denied.

85. Paragraph 85 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 85 of the Complaint; thus, they are deemed denied.

86. Paragraph 86 of the Complaint purports to characterize other states' laws, regulations, and policies; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 86 of the Complaint; thus, they are deemed denied.

87. Paragraph 87 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny the remaining factual allegations in Paragraph 87 of the Complaint. Paragraph 87 of the Complaint otherwise contains conclusions of law which require no answer.

88. Paragraph 88 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny the remaining factual allegations in Paragraph 88 of the Complaint.

89. Paragraph 89 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the allegation that the State Board of Elections "is subject to changes in personnel and policy preference"; thus, this allegation is deemed denied. Defendants deny all remaining factual allegations in Paragraph 89 of the Complaint.

90. Defendants lack sufficient information to respond to the factual allegations in Paragraph 90 of the Complaint; thus, they are deemed denied.

91. Defendants lack sufficient information to respond to the factual allegations in Paragraph 91 of the Complaint; thus, they are deemed denied.

92. Paragraph 92 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

93. Defendants lack sufficient information to respond to the factual allegations in Paragraph 93 of the Complaint; thus, they are deemed denied.

94. Paragraph 94 of the Complaint purports to characterize the legislative history of S.B. 824 and S.B. 824 itself; documents from the legislative history and S.B. 824 itself speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

95. Paragraph 95 of the Complaint contains conclusions of law which require no answer. Defendants deny all factual allegations in Paragraph 95 of the Complaint.

96. Paragraph 96 of the Complaint purports to characterize “analyses from 2015”; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 96 of the Complaint and in the heading preceding Paragraph 96 of the Complaint. Paragraph 96 of the Complaint and the heading preceding Paragraph 96 of the Complaint otherwise contain conclusions of law which require no answer.

97. Paragraph 97 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 97 of the Complaint; thus, they are deemed denied.

98. Paragraph 98 of the Complaint purports to characterize estimates from the American Community Survey; documents related to those estimates speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 98 of the Complaint; thus, they are deemed denied. Paragraph 98 of the Complaint otherwise contains conclusions of law which require no answer.

99. Paragraph 99 of the Complaint purports to characterize the State Board of Elections' "DMV-No-Match study"; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 99 of the Complaint; thus, they are deemed denied.

100. Paragraph 100 of the Complaint purports to characterize a "report" from the University of North Carolina's Center on Poverty, Work and Opportunity and a "survey" from the FDIC; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 100 of the Complaint; thus, they are deemed denied.

101. Paragraph 101 of the Complaint purports to characterize the Fourth Circuit panel's decision in *NAACP v. McCrory*, 831 F.3d 204, and the legislative history of S.B. 824; that decision

and documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 101 of the Complaint; thus, they are deemed denied.

102. Paragraph 102 of the Complaint purports to characterize the Fourth Circuit panel's decision in *NAACP v. McCrory*, 831 F.3d 204; that decision speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

103. Paragraph 103 of the Complaint contains conclusions of law which require no answer. Defendants deny all factual allegations in Paragraph 103 of the Complaint.

104. Paragraph 104 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 104 of the Complaint; thus, they are deemed denied.

105. Paragraph 105 of the Complaint purports to characterize "estimates" from the American Community Survey; documents related to those estimates speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 105 of the Complaint; thus, they are deemed denied. Paragraph 105 of the Complaint otherwise contains conclusions of law which require no answer.

106. Paragraph 106 of the Complaint purports to characterize a "survey" from the FDIC; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 106 of the Complaint; thus, they are deemed denied.

107. Paragraph 107 of the Complaint purports to characterize “census data”; documents containing such data speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 107 of the Complaint; thus, they are deemed denied. Paragraph 107 of the Complaint otherwise contains conclusions of law which require no answer.

108. Paragraph 108 of the Complaint purports to characterize a “report” from Disability Rights North Carolina; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 108 of the Complaint; thus, they are deemed denied. Paragraph 108 of the Complaint otherwise contains conclusions of law which require no answer.

109. Paragraph 109 of the Complaint purports to characterize “the available no-match data”; documents containing such data speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 109 of the Complaint; thus, they are deemed denied. Paragraph 109 of the Complaint otherwise contains conclusions of law which require no answer.

110. Paragraph 110 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 110 of the Complaint; thus, they are deemed denied.

111. Paragraph 111 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 111 of the Complaint; thus, they are deemed denied. Paragraph 111 of the Complaint otherwise contains conclusions of law which require no answer.

112. Paragraph 112 of the Complaint purports to characterize “available no-match data”; documents containing such data speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 112 of the Complaint; thus, they are deemed denied. Paragraph 112 of the Complaint otherwise contains conclusions of law which require no answer.

113. Paragraph 113 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 113 of the Complaint; thus, they are deemed denied.

114. Paragraph 114 of the Complaint contains conclusions of law which require no answer. Defendants lack sufficient information to respond to the factual allegations in Paragraph 114 of the Complaint; thus, they are deemed denied.

115. Paragraph 115 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 115 of the

Complaint; thus, they are deemed denied. Paragraph 115 of the Complaint otherwise contains conclusions of law which require no answer.

116. Paragraph 116 of the Complaint purports to characterize “the available no-match data”; documents containing such data speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 116 of the Complaint; thus, they are deemed denied. Paragraph 116 of the Complaint otherwise contains conclusions of law which require no answer.

117. Defendants deny all factual allegations in Paragraph 117 of the Complaint. Paragraph 117 of the Complaint otherwise contains conclusions of law which require no answer.

118. Paragraph 118 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 118 of the Complaint. Defendants note that H.B. 646 changed provisions in S.B. 824 that Paragraph 118 of the Complaint purports to describe, and to the extent H.B. 646 amended S.B. 824, the Complaint’s description of S.B. 824 does not accurately describe the current state of the law in North Carolina.

119. Paragraph 119 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants note that H.B. 646 changed a number of the provisions in S.B. 824 that Paragraph 119 of the Complaint purports to describe, and to the extent H.B. 646 amended S.B. 824, the Complaint’s description of S.B. 824 does not accurately describe the current state of the law in North Carolina. Defendants

lack sufficient information to respond to the remaining factual allegations in Paragraph 119 of the Complaint; thus, they are deemed denied.

120. Defendants deny the allegation in Paragraph 120 of the Complaint that “the photo ID requirement will be in effect for the 2019 Primary Elections.” Defendants deny the allegation in Paragraph 120 of the Complaint that the time given for “training and implementation of the reasonable impediment provision” “is wholly inadequate.” Defendants deny the allegation in Paragraph 120 of the Complaint that the time given “is . . . inadequate time for the State Board of Elections and other groups to attempt to assist voters in obtaining photo ID.” Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 120 of the Complaint; thus, they are deemed denied. Defendants deny all factual allegations in the heading preceding Paragraph 120 of the Complaint. Paragraph 120 of the Complaint and the heading preceding Paragraph 120 of the Complaint otherwise contain conclusions of law which require no answer.

121. Defendants lack sufficient information to respond to the factual allegations in Paragraph 121 of the Complaint; thus, they are deemed denied. Paragraph 121 of the Complaint otherwise contains conclusions of law which require no answer.

122. Paragraph 122 of the Complaint purports to characterize a presentation by Kimberly Strach; that presentation speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 122 of the Complaint; thus, they are deemed denied.

123. To the extent that Paragraph 123 contains allegations about Plaintiffs Smith and Kearney, Defendants lack sufficient information to respond to the allegations in Paragraph 123 of

the Complaint; thus, they are deemed denied. Defendants deny all remaining factual allegations in Paragraph 123 of the Complaint. Paragraph 123 of the Complaint otherwise contains conclusions of law which require no answer.

124. Paragraph 124 of the Complaint purports to characterize a presentation by Kimberly Strach; that presentation speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 124 of the Complaint; thus, they are deemed denied.

125. Defendants lack sufficient information to respond to the factual allegations in Paragraph 125 of the Complaint; thus, they are deemed denied. To the extent that Paragraph 125 of the Complaint purports to characterize a presentation by Kimberly Strach, that presentation speaks for itself and is the best evidence of its contents; to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

126. Paragraph 126 of the Complaint purports to characterize a presentation by Kimberly Strach; that presentation speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 126 of the Complaint; thus, they are deemed denied. Paragraph 126 of the Complaint otherwise contains conclusions of law which require no answer.

127. Paragraph 127 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny the allegation that “[t]he first municipal election[ ]” in which the photo ID requirements in S.B. 824

will apply will take place in September 2019. Defendants deny the allegation that “[t]here will be no meaningful ability for the State Board or advocacy groups to assist voters in advance of the implementation of the ID requirement in obtaining IDs, which is certain to result in eligible voters being disenfranchised.” Paragraph 127 of the Complaint otherwise contains conclusions of law which require no answer.

128. Defendants deny all factual allegations in Paragraph 128 of the Complaint. Paragraph 128 of the Complaint otherwise contains conclusions of law which require no answer.

129. Defendants deny all factual allegations in Paragraph 129 of the Complaint. Paragraph 129 of the Complaint otherwise contains conclusions of law which require no answer.

130. Paragraph 130 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 130 of the Complaint. Paragraph 130 of the Complaint otherwise contains conclusions of law which require no answer.

131. Paragraph 131 of the Complaint purports to characterize the legislative history of House Bill 1029 (“H.B. 1029”) and H.B. 1029 itself; documents from the legislative history and H.B. 1029 itself speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 131 of the Complaint. Paragraph 131 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

132. Paragraph 132 of the Complaint purports to characterize S.B. 824 and its associated fiscal note; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 132 of the Complaint. Paragraph 132 of the Complaint otherwise contains conclusions of law which require no answer.

133. Paragraph 133 of the Complaint purports to characterize S.B. 824 and its associated fiscal note; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 133 of the Complaint. Paragraph 133 of the Complaint otherwise contains conclusions of law which require no answer.

134. Defendants lack sufficient information to respond to the factual allegations in the first sentence of Paragraph 134 of the Complaint; thus, they are deemed denied. Defendants deny all factual allegations in the second sentence of Paragraph 134 of the Complaint.

135. Paragraph 135 of the Complaint purports to characterize S.B. 824 and its associated fiscal note; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the allegations in Paragraph 135 of the Complaint regarding the costs incurred in rolling out a different voter ID provision; thus, they are deemed denied. Defendants deny all other factual allegations in Paragraph 135 of the Complaint. Paragraph 135 of the Complaint otherwise contains conclusions of law which require no answer.

136. Paragraph 136 of the Complaint purports to characterize S.B. 824 and its associated fiscal note; those documents speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 136 of the Complaint; thus, they are deemed denied.

137. Defendants deny all factual allegations in Paragraph 137 of the Complaint and the heading preceding Paragraph 137 of the Complaint. Paragraph 137 of the Complaint and the heading preceding Paragraph 137 of the Complaint otherwise contain conclusions of law which require no answer.

138. Paragraph 138 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 138 of the Complaint.

139. Defendants deny the allegations in Paragraph 139 of the Complaint.

140. Defendants deny the allegations in Paragraph 140 of the Complaint.

141. Defendants lack sufficient information to respond to the factual allegations in Paragraph 141 of the Complaint; thus, they are deemed denied. Paragraph 141 of the Complaint otherwise contains conclusions of law which require no answer.

142. Defendants lack sufficient information to respond to the factual allegations in Paragraph 142 of the Complaint; thus, they are deemed denied. Paragraph 142 of the Complaint otherwise contains conclusions of law which require no answer.

143. Paragraph 143 of the Complaint purports to characterize the legislative history of S.B. 824 and a presentation by Kimberly Strach; documents from the legislative history and that

presentation speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 143 of the Complaint; thus, they are deemed denied.

144. Defendants lack sufficient information to respond to the factual allegations in Paragraph 144 of the Complaint; thus, they are deemed denied. Paragraph 144 of the Complaint otherwise contains conclusions of law which require no answer.

145. Defendants deny that an individual named “Daniel Green” is a Plaintiff in this action. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 145 of the Complaint; thus, they are deemed denied. Paragraph 145 of the Complaint otherwise contains conclusions of law which require no answer.

146. Defendants lack sufficient information to respond to the factual allegations in Paragraph 146 of the Complaint; thus, they are deemed denied. Paragraph 146 of the Complaint otherwise contains conclusions of law which require no answer.

147. Defendants lack sufficient information to respond to the factual allegations in Paragraph 147 of the Complaint; thus, they are deemed denied. Paragraph 147 of the Complaint otherwise contains conclusions of law which require no answer.

148. Defendants deny the allegation that voters will be required to abide by S.B. 824’s requirements when voting in the municipal elections in the fall of 2019. Paragraph 148 of the Complaint otherwise purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

149. Paragraph 149 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

150. Defendants lack sufficient information to respond to the factual allegations in Paragraph 150 of the Complaint; thus, they are deemed denied.

151. Paragraph 151 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

152. Defendants deny the allegations in Paragraph 152 of the Complaint.

153. Paragraph 153 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny the remaining allegations in Paragraph 153 of the Complaint.

154. Paragraph 154 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

155. Paragraph 155 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

156. Paragraph 156 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in

the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining allegations in Paragraph 156 of the Complaint.

157. Defendants deny all factual allegations in Paragraph 157 of the Complaint. Paragraph 157 of the Complaint otherwise contains conclusions of law which require no answer.

158. Paragraph 158 of the Complaint purports to characterize unspecified decisions from the North Carolina Supreme Court; those decision speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 158 of the Complaint otherwise contains conclusions of law which require no answer. Defendants deny all factual allegations in the heading preceding Paragraph 158 of the Complaint, and the heading preceding Paragraph 158 of the Complaint otherwise contains conclusions of law which require no answer.

159. Paragraph 159 of the Complaint contains conclusions of law which require no answer.

160. Paragraph 160 of the Complaint purports to characterize the North Carolina Supreme Court's decision in *Hest Techs., Inc. v. State ex rel. Perdue*, 366 N.C. 289, 749 S.E.2d 429 (2012); that decision speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

161. Defendants deny all factual allegations in Paragraph 161 of the Complaint. Paragraph 161 of the Complaint otherwise contains conclusions of law which require no answer.

162. Defendants deny all factual allegations in Paragraph 162 of the Complaint. Paragraph 162 of the Complaint otherwise contains conclusions of law which require no answer.

163. Defendants deny all factual allegations in Paragraph 163 of the Complaint and in the heading preceding Paragraph 163 of the Complaint. Paragraph 163 of the Complaint and the heading preceding Paragraph 163 of the Complaint otherwise contain conclusions of law which require no answer.

164. Paragraph 164 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 164 of the Complaint. Paragraph 164 of the Complaint otherwise contains conclusions of law which require no answer.

165. Paragraph 165 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the allegation that “several of the State’s public housing authorities issue IDs to residents with names and photos”; thus, it is deemed denied. Defendants deny all remaining factual allegations in Paragraph 165 of the Complaint. Paragraph 165 of the Complaint otherwise contains conclusions of law which require no answer.

166. Defendants deny all factual allegations in Paragraph 166 of the Complaint. Paragraph 166 of the Complaint otherwise contains conclusions of law which require no answer.

167. Paragraph 167 of the Complaint purports to characterize a document produced by the United States Election Assistance Commission; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this

best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 167 of the Complaint.

168. Paragraph 168 of the Complaint purports to characterize the laws and regulations governing the treatment of provisional ballots in North Carolina; those laws and regulations speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants lack sufficient information to respond to the remaining factual allegations in Paragraph 168 of the Complaint; thus, they are deemed denied.

169. Paragraph 165 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in the first sentence of Paragraph 169 of the Complaint. Defendants lack sufficient information to respond to the factual allegations in the second sentence of Paragraph 169 of the Complaint; thus, they are deemed denied. Paragraph 169 of the Complaint otherwise contains conclusions of law which require no answer.

170. Paragraph 170 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 170 of the Complaint. Paragraph 170 of the Complaint otherwise contains conclusions of law which require no answer.

171. Defendants deny all factual allegations in Paragraph 171 of the Complaint. Paragraph 171 of the Complaint otherwise contains conclusions of law and legal arguments which require no answer.

172. Defendants deny all factual allegations in Paragraph 172 of the Complaint. Paragraph 172 of the Complaint otherwise contains conclusions of law and legal arguments which require no answer.

173. Defendants re-allege and incorporate the responses to the Complaint's allegations in all paragraphs of this Answer.

174. Defendants deny all factual allegations in Paragraph 174 of the Complaint. Paragraph 174 of the Complaint otherwise contains conclusions of law which require no answer.

175. Paragraph 175 of the Complaint purports to characterize Article I, Section 19, of the North Carolina Constitution; that provision speaks for itself for and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 175 of the Complaint otherwise contains conclusions of law which require no answer.

176. Defendants deny the allegation that “[a] motivating purpose behind Senate Bill 824 is to suppress the turnout and electoral participation of African-American and American-Indian voters.” Defendants lack sufficient information to respond to the allegation that African-American and American-Indian voters “disproportionately lack acceptable photo identification”; thus, it is deemed denied. Paragraph 176 of the Complaint otherwise contains conclusions of law which require no answer.

177. Paragraph 177 of the Complaint purports to characterize the legislative history of S.B. 824; documents from the legislative history speak for themselves and are the best evidence

of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 177 of the Complaint. Paragraph 177 of the Complaint otherwise contains conclusions of law which require no answer.

178. Paragraph 178 of the Complaint purports to characterize the United States Supreme Court's decision in *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252 (1977); that decision speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 178 of the Complaint otherwise contains conclusions of law which require no answer.

179. Defendants re-allege and incorporate the responses to the Complaint's allegations in all paragraphs of this Answer.

180. Paragraph 180 of the Complaint purports to characterize Article I, Section 19, of the North Carolina Constitution, "[f]ederal equal protection guarantees," and decisions from both the United States Supreme Court and the North Carolina Supreme Court; the State Constitution, the Federal Constitution, and those decisions speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 180 of the Complaint otherwise contains conclusions of law which require no answer.

181. Defendants lack sufficient information to respond to the allegation that "hundreds of thousands of voters lack such forms of IDs" on "[t]he list of acceptable IDs established by Senate Bill 824"; thus, it is deemed denied. Defendants deny all remaining factual allegations in Paragraph 181 of the Complaint. Paragraph 181 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

182. Defendants deny all factual allegations in Paragraph 182 of the Complaint. Paragraph 182 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

183. Paragraph 183 of the Complaint contains conclusions of law which require no answer.

184. Defendants re-allege and incorporate the responses to the Complaint's allegations in all paragraphs of this Answer.

185. Paragraph 185 of the Complaint purports to characterize Article I, Section 19, of the North Carolina Constitution; that provision speaks for itself for and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 185 of the Complaint. Paragraph 185 of the Complaint otherwise contains conclusions of law which require no answer.

186. Paragraph 186 of the Complaint purports to characterize S.B. 824; that document speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 186 of the Complaint. Paragraph 186 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

187. Paragraph 187 of the Complaint purports to characterize S.B. 824 and the North Carolina Constitution; those provisions speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 187

of the Complaint. Paragraph 187 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

188. Paragraph 188 of the Complaint purports to characterize Article I, Section 19, of the North Carolina Constitution; that provision speaks for itself for and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 188 of the Complaint otherwise contains conclusions of law which require no answer.

189. Defendants re-allege and incorporate the responses to the Complaint's allegations in all paragraphs of this Answer.

190. Defendants deny all factual allegations in Paragraph 190 of the Complaint. Paragraph 190 of the Complaint otherwise contains conclusions of law which require no answer.

191. Paragraph 191 of the Complaint purports to characterize S.B. 824 and Article I, Section 10, of the North Carolina Constitution; those provisions speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 191 of the Complaint. Paragraph 191 of the Complaint otherwise contains conclusions of law which require no answer.

192. Defendants deny all factual allegations in Paragraph 192 of the Complaint. Paragraph 192 of the Complaint otherwise contains conclusions of law which require no answer.

193. Defendants re-allege and incorporate the responses to the Complaint's allegations in all paragraphs of this Answer.

194. Defendants deny the allegations in Paragraph 194 of the Complaint, because Paragraph 194 of the Complaint incorrectly characterizes Article I, Section 10, of the North

Carolina Constitution. To the extent that Plaintiffs intend to characterize Article I, Section 11, of the North Carolina Constitution in Paragraph 194, that provision speaks for itself for and is the best evidence of its contents; to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied.

195. Defendants deny all factual allegations in Paragraph 195 of the Complaint. Paragraph 195 of the Complaint otherwise contains conclusions of law which require no answer.

196. Defendants deny all factual allegations in Paragraph 196 of the Complaint. Paragraph 196 of the Complaint otherwise contains conclusions of law which require no answer.

197. Defendants re-allege and incorporate the responses to the Complaint's allegations in all paragraphs of this Answer.

198. Paragraph 198 of the Complaint contains conclusions of law which require no answer.

199. Paragraph 199 of the Complaint purports to characterize unspecified decisions from the North Carolina Supreme Court; those decisions speak for themselves and are the best evidence of their contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Paragraph 199 of the Complaint otherwise contains conclusions of law which require no answer.

200. Paragraph 200 of the Complaint purports to characterize the North Carolina Supreme Court's decision in *State v. Petersilie*, 334 N.C. 169, 432 S.E.2d 832 (1993); that decision speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 200 of the Complaint. Paragraph 200 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

201. Paragraph 201 of the Complaint purports to characterize the North Carolina Supreme Court's decision in *State v. Petersilie*, 334 N.C. 169, 432 S.E.2d 832 (1993); that decision speaks for itself and is the best evidence of its contents, and to the extent the characterization in the Complaint differs from this best evidence, that characterization is denied. Defendants deny all remaining factual allegations in Paragraph 201 of the Complaint. Paragraph 201 of the Complaint otherwise contains conclusions of law and extended legal arguments which require no answer.

202. Paragraph 202 the Complaint consists of a prayer for relief that does not require a response. To the extent that a response is required, Defendants deny that Plaintiffs are entitled to, or that this Court has jurisdiction to grant, the relief granted.

203. Defendants deny each and every allegation not expressly admitted herein.

#### **First Affirmative Defense**

Plaintiffs' 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 Complaint.

#### **Third Affirmative Defense**

Plaintiffs' claims are not ripe.

#### **Fourth Affirmative Defense**

Plaintiffs' claims are moot.

#### **Fifth Affirmative Defense**

This Court lacks jurisdiction over Plaintiffs' claims.

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

Dated: August 8, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I do hereby certify that I have on this 8th day of August, 2019, served a copy of the foregoing Answer, by electronic email and by United States mail, postage prepaid, to counsel for Plaintiffs and Defendants at the following addresses:

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This 8th day of August, 2019.



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