

FILED

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF WAKE

2021 DEC 20 SUPERIOR COURT DIVISION
21 CVS 15426

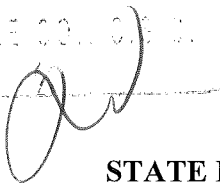
NORTH CAROLINA LEAGUE OF
CONSERVATION VOTERS, INC. et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House Standing
Committee on Redistricting, et al.

Defendants.

WAKE CO. CLERK
BY 

**STATE DEFENDANTS'
ANSWER
TO COMPLAINT**

**FILED IN
NCLCV v. HALL, ET AL.**

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF WAKE

SUPERIOR COURT DIVISION
21 CVS 50085

REBECCA HARPER. et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Senior Chair of the House
Standing Committee on Redistricting, et al.

Defendants.

NOW COME the Defendants, the North Carolina State Board of Elections, and its members ("State Defendants"), by and through undersigned counsel, and hereby answer Plaintiffs' Amended Complaint as follows:

INTRODUCTION

1. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

2. State Defendants lack sufficient information to admit or deny the allegations.

3. State Defendants lack sufficient information to admit or deny the allegations.

4. State Defendants lack sufficient information to admit or deny the allegations.

5. Neither admitted nor denied as this allegation is not directed at State Defendants.

To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

6. Neither admitted nor denied as this allegation is not directed at State Defendants.

Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

7. State Defendants lack sufficient information to admit or deny the allegations.

8. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

9. Neither admitted nor denied as this allegation is not directed at State Defendants.

To the extent a response is required, State Defendants lack sufficient information to admit or

deny the allegations.

10. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

PARTIES

A. Plaintiffs

11. State Defendants lack sufficient information to admit or deny the allegations.

12. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

13. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

14. State Defendants lack sufficient information to admit or deny the allegations.

15. State Defendants lack sufficient information to admit or deny the allegations.

16. State Defendants lack sufficient information to admit or deny the allegations.

17. State Defendants lack sufficient information to admit or deny the allegations.

18. State Defendants lack sufficient information to admit or deny the allegations.

19. State Defendants lack sufficient information to admit or deny the allegations.

20. State Defendants lack sufficient information to admit or deny the allegations.

21. State Defendants lack sufficient information to admit or deny the allegations.

22. State Defendants lack sufficient information to admit or deny the allegations.
23. State Defendants lack sufficient information to admit or deny the allegations.
24. State Defendants lack sufficient information to admit or deny the allegations.
25. State Defendants lack sufficient information to admit or deny the allegations.
26. State Defendants lack sufficient information to admit or deny the allegations.
27. State Defendants lack sufficient information to admit or deny the allegations.
28. State Defendants lack sufficient information to admit or deny the allegations.
29. State Defendants lack sufficient information to admit or deny the allegations.

B. Defendants

30. Admitted upon information and belief.
31. Admitted upon information and belief.
32. Admitted upon information and belief.
33. Admitted upon information and belief.
34. Admitted.
35. Admitted.
36. Admitted.
37. Admitted.
38. Admitted.
39. Admitted.
40. Admitted.
41. Admitted.
42. Admitted.
43. Admitted.

JURISDICTION AND VENUE

44. Admitted.

45. Admitted.

46. Admitted.

FACTUAL ALLEGATIONS

I. The Law Governing Redistricting in North Carolina

47. Neither admitted nor denied as the North Carolina Constitution speaks for itself.

48. Neither admitted nor denied as the North Carolina Constitution speaks for itself.

49. Neither admitted nor denied as the North Carolina Constitution speaks for itself.

50. Neither admitted nor denied to the extent that the case cited is a matter of public record, speaks for itself, is the best evidence of its contents, and constitutes a legal conclusion.

51. Neither admitted nor denied as the Voting Rights Act speaks for itself.

52. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions.

II. Partisan Gerrymandering and Racial Discrimination in North Carolina

53. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

54. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions.

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56. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

57. State Defendants lack sufficient information to admit or deny the allegations.

58. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

59. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

III. Enactment of the Enacted Plans

A. The 2021 Redistricting Process

60. Admitted.

61. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, admitted upon information and belief.

62. Neither admitted nor denied as this allegation is not directed at State

Defendants. To the extent a response is required, admitted upon information and belief.

63. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

64. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

65. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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70. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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75. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

76. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

77. Neither admitted nor denied as this allegation is not directed at State

Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

B. Enactment of the Final Maps

78. Admitted upon information and belief as to the date on which the legislation was passed. Neither admitted nor denied as to the remaining allegations not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny those allegations.

79. Admitted upon information and belief as to the date on which the legislation was passed. Neither admitted nor denied as to the remaining allegations not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny those allegations.

80. Admitted upon information and belief as to the date on which the legislation was passed. Neither admitted nor denied as to the remaining allegations not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny those allegations.

81. Admitted upon information and belief as to the date on which the legislation was passed. Neither admitted nor denied as to the remaining allegations not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or deny those allegations.

IV. Partisan Gerrymandering and Racial Vote Dilution in the Enacted Plans

82. Neither admitted nor denied to the extent that the electoral results cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny

the allegations.

83. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

84. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

85. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

86. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

87. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

A. Extreme Partisan Gerrymandering in the Enacted Plans

88. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

89. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

i. The Enacted Congressional Plan

90. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

91. Neither admitted nor denied to the extent that the electoral outcomes cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

92. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

93. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

94. Neither admitted nor denied to the extent that the allegation states a legal

conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

95. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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to admit or deny the allegations.

99. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

ii. The Enacted Senate Plan

100. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

101. Neither admitted nor denied to the extent that the electoral outcomes cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

102. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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104. Neither admitted nor denied to the extent that the allegation states a legal

conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

105. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

106. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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108. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information

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109. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

110. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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113. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required.

To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

iii. The Enacted House Plan

114. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

115. Neither admitted nor denied to the extent that the electoral outcomes cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

116. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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123. Neither admitted nor denied as this allegation is not directed at State Defendants

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124. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

125. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

iv. Entrenchment of Partisan Advantage in the Enacted Plans.

126. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

127. Neither admitted nor denied to the extent that the electoral outcomes cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny

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128. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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131. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

B. Racial Vote Dilution in the Enacted Plans

132. Neither admitted nor denied as this allegation is not directed at State

Defendants and to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

133. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

i. The Enacted Congressional Plan

134. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

135. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

136. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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140. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

ii. The Enacted Senate Plan

141. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information

to admit or deny the allegations.

142. State Defendants lack sufficient information to admit or deny the allegations.

143. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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145. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

146. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

147. Neither admitted nor denied to the extent that the allegation states a legal

conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

iii. The Enacted House Plan.

148. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

149. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

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152. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the records cited are matters of public record, speak for themselves, and are the best evidence of their contents. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

153. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

V. Plaintiffs' Optimized Maps

154. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

155. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

156. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

157. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or

deny the allegations.

A. Plaintiffs' Optimized Congressional Map.

158. State Defendants lack sufficient information to admit or deny the allegations.

159. State Defendants lack sufficient information to admit or deny the allegations.

160. State Defendants lack sufficient information to admit or deny the allegations.

161. State Defendants lack sufficient information to admit or deny the allegations.

162. State Defendants lack sufficient information to admit or deny the allegations.

163. State Defendants lack sufficient information to admit or deny the allegations.

164. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

B. Plaintiffs' Optimized Senate Map.

165. State Defendants lack sufficient information to admit or deny the allegations.

166. State Defendants lack sufficient information to admit or deny the allegations.

167. State Defendants lack sufficient information to admit or deny the allegations.

168. State Defendants lack sufficient information to admit or deny the allegations.

169. State Defendants lack sufficient information to admit or deny the allegations.

170. State Defendants lack sufficient information to admit or deny the allegations.

171. State Defendants lack sufficient information to admit or deny the allegations.

172. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

C. Plaintiffs' Optimized House Map.

173. State Defendants lack sufficient information to admit or deny the allegations.

174. State Defendants lack sufficient information to admit or deny the allegations.

175. State Defendants lack sufficient information to admit or deny the allegations.

176. State Defendants lack sufficient information to admit or deny the allegations.

177. State Defendants lack sufficient information to admit or deny the allegations.

178. State Defendants lack sufficient information to admit or deny the allegations.

179. State Defendants lack sufficient information to admit or deny the allegations.

180. Neither admitted nor denied to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

VI. The Court Can and Should Enter Preliminary Relief Necessary to Preserve the Rights of Millions of North Carolinian Voters.

181. Denied.

182. Admitted.

183. State Defendants lack sufficient information to admit or deny the allegations.

184. Admitted that Director Bell made a presentation providing information and recommendations to the General Assembly regarding a variety of election related issues. Neither admitted nor denied as to the remainder of this allegation not directed at State.

185. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, admitted that certain municipal elections were delayed from 2021 to 2022.

186. Neither admitted nor denied as this allegation is not directed at State Defendants. To the extent a response is required, State Defendants lack sufficient information to admit or

deny the allegations.

187. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

188. Neither admitted nor denied to the extent that this allegation is outdated and similar relief has been granted. Neither admitted nor denied as to the remainder of this allegation as it is not directed at State Defendants and states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the case cited is a matter of public record, speaks for itself, is the best evidence of its contents, and constitutes a legal conclusion. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

189. Neither admitted nor denied to the extent that this allegation is outdated and similar relief has been granted. Neither admitted nor denied as to the remainder of this allegation as it is not directed at State Defendants and states a legal conclusion to which no response is required. Neither admitted nor denied to the extent that the case cited is a matter of public record, speaks for itself, is the best evidence of its contents, and constitutes a legal conclusion. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

190. Neither admitted nor denied to the extent that this allegation is outdated and similar relief has been granted.

191. Neither admitted nor denied to the extent that this allegation appears to generally rely upon prior court rulings, which would be matters of public record, speak for themselves,

and are the best evidence of their contents.

192. Neither admitted nor denied to the extent this constitutes argument and states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

193. Neither admitted nor denied to the extent that the cases cited are matters of public record, speak for themselves, are the best evidence of their contents, and constitute legal conclusions. Neither admitted nor denied as this allegation is not directed at State Defendants and to the extent that the allegation states a legal conclusion to which no response is required. To the extent a response is required, State Defendants lack sufficient information to admit or deny the allegations.

COUNT I
Unlawful Partisan Gerrymandering in Violation of
the North Carolina State Constitution's Free Elections Clause,
Article I, Section 5

194. State Defendants incorporate their previous responses.

195. State Defendants admit that the North Carolina Constitution speaks for itself concerning its content.

196. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document, or any allegations in this paragraph.

197. This paragraph contains references to legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document, or any allegations in this paragraph.

198. This paragraph contains references to legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced documents or any allegations in this paragraph.

199. This paragraph contains argument and references legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, the legal conclusions from the referenced documents, or any allegations in this paragraph.

200. This paragraph contains argument and references legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, the legal conclusions from the referenced documents, or any allegations in this paragraph.

201. This paragraph contains argument and conclusory allegations about the Enacted Plan. Thus, no response is required. To the extent that a response is required to the argument and conclusory allegations, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any of the other allegations in this paragraph.

202. This paragraph contains argument and a conclusory allegation about the Enacted Plan, to which no response is required. To the extent that a response is required to the argument and conclusory allegation, State Defendants lack sufficient information to admit or deny the argument and conclusory allegation.

203. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required to the argument and conclusory allegations, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any of the other allegations in this paragraph.

COUNT II
Unlawful Partisan Gerrymandering in Violation of the North
Carolina State Constitution's Equal Protection Clause,
Article I, Section 19

204. State Defendants incorporate their previous responses.

205. State Defendants admit that the North Carolina Constitution speaks for itself concerning its content.

206. This paragraph contains references to legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document, or any allegations in this paragraph.

207. This paragraph references to legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the allegations in this paragraph.

208. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, the legal conclusions from the referenced document, or any allegations in this paragraph.

209. This paragraph references legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a

response is required, State Defendants lack sufficient information to admit or deny the legal conclusions or allegations in this paragraph.

210. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required to the argument and conclusory allegations, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations in this paragraph.

211. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

212. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

COUNT III
Unlawful Partisan Gerrymandering in Violation of the
North Carolina State Constitution's Free Speech and Free Assembly
Clauses, Article I, Sections 12 and 14

213. State Defendants incorporate their previous responses.

214. State Defendants admit that the North Carolina Constitution speaks for itself concerning its content.

215. State Defendants admit that the North Carolina Constitution speaks for itself concerning its content.

216. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is

required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

217. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

218. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

219. This paragraph contains references to legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced documents or any allegations in this paragraph.

220. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

221. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

222. This paragraph contains argument and a conclusory allegation about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegation, or any other allegations.

223. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

COUNT IV

Unlawful Racial Vote Dilution in Violation of the North Carolina State Constitution's Free Elections Clause, Article I, Section 5

224. State Defendants incorporate their previous responses.

225. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

226. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

227. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

228. This paragraph contains argument and references legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, the legal conclusions from the referenced documents, or any allegations in this paragraph.

229. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

230. State Defendants lack sufficient information to admit or deny the allegations in this paragraph.

231. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument or conclusory allegations.

232. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

COUNT V
Unlawful Racial Vote Dilution in Violation of the
North Carolina State Constitution's Equal Protection Clause,
Article I, Section 19

233. State Defendants incorporate their previous responses.

234. State Defendants admit that the North Carolina Constitution speaks for itself concerning its content.

235. This paragraph references legal conclusions in a written document, which speaks for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

236. This paragraph references legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the legal conclusions from the referenced documents or any allegations in this paragraph.

237. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

238. State Defendants lack sufficient information to admit or deny the allegations in this paragraph.

239. This paragraph contains argument and a conclusory allegation about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegation, or any other allegations.

240. This paragraph contains argument and a conclusory allegation about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegation, or any other allegations.

241. This paragraph contains argument and a conclusory allegation about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegation, or any other allegations.

COUNT VI

Violation of the North Carolina State Constitution's Whole County Provisions, Article II, Sections 3(3) and 5(3), *Stephenson I*, *Stephenson II*, *Dickson I*, and *Dickson II*

242. State Defendants incorporate their previous responses.

243. State Defendants admit that the North Carolina Constitution speaks for itself concerning its content.

244. This paragraph references legal conclusions in written documents, which speak for themselves. Therefore, this paragraph does not require a response. To the extent that a response is required, Defendants lack sufficient information to admit or deny the legal conclusions from the referenced document or any allegations in this paragraph.

245. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

246. This paragraph references legal conclusions in a written document, which speak for itself. Therefore, this paragraph does not require a response. To the extent that a response is required, Defendants lack sufficient information to admit or deny the legal conclusions from the referenced documents or any allegations in this paragraph.

247. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State

Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

248. This paragraph contains argument and conclusory allegations about the Enacted Plan, to which no response is required. To the extent that a response is required, State Defendants lack sufficient information to admit or deny the argument, conclusory allegations, or any other allegations.

ANY AND ALL OTHER ALLEGATIONS MADE IN PLAINTIFFS' COMPLAINT, INCLUDING THE RELIEF REQUESTED, EXCEPT AS SPECIFICALLY ADMITTED ABOVE, ARE HEREBY DENIED.

This the 17th day of December, 2021.

NORTH CAROLINA
DEPARTMENT OF JUSTICE



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CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the foregoing document in the above titled action upon all parties to this cause by via email and addressed as follows:

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This the 17th day of December, 2021.

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