

SUPREME COURT OF NORTH CAROLINA

NORTH CAROLINA LEAGUE OF)	
CONSERVATION VOTERS, INC. et)	
al.)	
)	
COMMON CAUSE,)	
)	
v.)	
)	
REPRESENTATIVE DESTIN HALL,)	
in his official capacity as Chair of the)	<u>From Wake County</u>
House Standing Committee on)	
Redistricting, et al.)	
_____)	
)	
REBECCA HARPER, et al.)	
)	
v.)	
)	
REPRESENTATIVE DESTIN HALL,)	
in his official capacity as Chair of the)	
House Standing Committee on)	
Redistricting, et al.)	
)	

**PLAINTIFFS' JOINT NOTICE CORRECTING THE
REPRESENTATION OF PLAINTIFFS' POSITION IN
LEGISLATIVE DEFENDANTS' MOTION FOR CLARIFICATION**

TO THE HONORABLE SUPREME COURT OF NORTH CAROLINA:

The NCLCV Plaintiffs, Harper Plaintiffs, and Plaintiff Common Cause (together, “Plaintiffs”), hereby provide notice to the Court that Legislative Defendants have not correctly stated their respective Positions regarding the Motion.

In their Motion for Clarification, Legislative Defendants state that “Plaintiffs take no position on the relief sought in this motion.” Motion at 1. In fact, Plaintiffs oppose part of the relief sought in the motion.

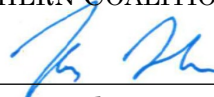
As the correspondence in Exhibit A shows, Legislative Defendants contacted Plaintiffs’ counsel shortly before 10 a.m. today requesting Plaintiffs’ position on a motion “seeking confirmation that Mr. Longest is not participating in this case.” *See* Ex. A. Plaintiffs advised that they took no position on the motion described in Legislative Defendants’ email.

But the relief Legislative Defendants seek in their Motion goes far beyond a request for information from the Court. They also seek Mr. Longest *and* Justice Hudson’s recusal in this matter. *See* Motion at 2 (“Alternatively, if this assurance cannot be made, Legislative Defendants move for Mr. Longest’s recusal from this matter.”); Motion at 10 (“If Mr. Longest has not been screened from this case since filing to run for office, in addition to seeking his recusal, Legislative Defendants have little choice but to seek Justice Hudson’s recusal.”).

Plaintiffs oppose any request for Justice Hudson’s recusal, and take no position on Mr. Longest’s participation.

Respectfully submitted, this the 30th day of September, 2022.

SOUTHERN COALITION FOR SOCIAL JUSTICE

By: 

Hilary H. Klein
N.C. State Bar No. 53711
hilaryhklein@scsj.org

N.C.R. App. P. 33(b) Certification:

I certify that all of the attorneys listed below have authorized me to list their names on this document as if they had personally signed it.

Burton Craige
Narendra K. Ghosh
Paul E. Smith
PATTERSON HARKAVY LLP
100 Europa Dr., Suite 420
Chapel Hill, NC 27517
bcraige@pathlaw.com
nghosh@pathlaw.com
psmith@pathlaw.com

Lalitha D. Madduri
Jacob D. Shelly
Graham W. White
ELIAS LAW GROUP LLP
10 G. Street NE, Suite 600
Washington, D.C. 20002
MElias@elias.law
ABranch@elias.law
LMadduri@elias.law
JShelly@elias.law
GWhite@elias.law

Abha Khanna
ELIAS LAW GROUP LLP
1700 Seventh Avenue, Suite 2100
Seattle, Washington 98101
AKhanna@elias.law

Allison J. Riggs
N.C. State Bar No. 40028
allison@southerncoalition.org
Mitchell Brown
N.C. State Bar No. 56122
Mitchellbrown@scsj.org
Katelin Kaiser
N.C. State Bar No. 56799
Katelin@scsj.org
Jeffrey Loperfido
N.C. State Bar No. 52939
jeffloperfido@scsj.org
Noor Taj
N.C. State Bar No. 58508
noor@scsj.org

1415 W. Highway 54, Suite 101
Durham, NC 27707
Telephone: 919-323-3909
Facsimile: 919-323-3942

HOGAN LOVELLS US LLP

J. Tom Boer*
D.C. Bar No. 469585
CA Bar. No. 199563
tom.boer@hoganlovells.com
Olivia T. Molodanof*
CA Bar No. 328554
olivia.molodanof@hoganlovells.com

Elisabeth S. Theodore
R. Stanton Jones
Samuel F. Callahan
ARNOLD AND PORTER KAYE SCHOLER
LLP
601 Massachusetts Avenue NW
Washington, DC 20001
elisabeth.theodore@arnoldporter.com

*Counsel for Rebecca Harper, et al.
Plaintiffs*

3 Embarcadero Center, Suite 1500
San Francisco, California 94111
Telephone: 415-374-2300
Facsimile: 415-374-2499

*Admitted *pro hac vice*

Counsel for Petitioner Common Cause

Sam Hirsch
Jessica Ring Amunson
Kali Bracey
Zachary C. Schuaf
Karthik P. Reddy
Urja Mittal
JENNER & BLOCK LLP
1099 New York Avenue, NW, Suite 900
Washington, D.C. 20001
shirsch@jenner.com
zschau@jenner.com

Stephen D. Feldman
ROBINSON, BRADSHAW & HINSON, P.A.
434 Fayetteville Street, Suite 1600
Raleigh, NC 27501
sfeldman@robinsonbradshaw.com

Adam K. Doerr
ROBINSON, BRADSHAW & HINSON, P.A.
101 North Tryon Street, Suite 1900
Charlotte, NC 28246
adoerr@robinsonbradshaw.com

Erik R. Zimmerman
ROBINSON, BRADSHAW & HINSON, P.A.
1450 Raleigh Road, Suite 100
Chapel Hill, NC 27517
ezimmerman@robinsonbradshaw.com

*Counsel for North Carolina League of
Conservation Voters, Inc., et al. Plaintiffs*

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed to the electronic-filing site at <https://www.ncappellatecourts.org> and served upon all parties by electronic mail and, if requested, by United States Mail, addressed to the following:

Sam Hirsch
Jessica Ring Amunson
Kali Bracey
Zachary C. Schuaf
Karthik P. Reddy
Urja Mittal
JENNER & BLOCK LLP
1099 New York Avenue, NW, Suite 900
Washington, D.C. 20001
shirsch@jenner.com
zschauf@jenner.com

Stephen D. Feldman
ROBINSON, BRADSHAW & HINSON, P.A.
434 Fayetteville Street, Suite 1600
Raleigh, NC 27501
sfeldman@robinsonbradshaw.com

Adam K. Doerr
ROBINSON, BRADSHAW & HINSON, P.A.
101 North Tryon Street, Suite 1900
Charlotte, NC 28246
adoerr@robinsonbradshaw.com

Erik R. Zimmerman
ROBINSON, BRADSHAW & HINSON, P.A.
1450 Raleigh Road, Suite 100
Chapel Hill, NC 27517
ezimmerman@robinsonbradshaw.com

*Counsel for North Carolina League of
Conservation Voters, Inc., et al.
Plaintiffs*

Burton Craige
Narendra K. Ghosh
Paul E. Smith
PATTERSON HARKAVY LLP
100 Europa Dr., Suite 420
Chapel Hill, NC 27517
bcraige@pathlaw.com
nghosh@pathlaw.com
psmith@pathlaw.com

Lalitha D. Madduri
Jacob D. Shelly
Graham W. White
ELIAS LAW GROUP LLP
10 G. Street NE, Suite 600
Washington, D.C. 20002
MElias@elias.law
ABranch@elias.law
LMadduri@elias.law
JShelly@elias.law
GWhite@elias.law

Abha Khanna
ELIAS LAW GROUP LLP
1700 Seventh Avenue, Suite 2100
Seattle, Washington 98101
AKhanna@elias.law

Elisabeth S. Theodore
R. Stanton Jones
ARNOLD AND PORTER KAYE SCHOLER
LLP
601 Massachusetts Avenue NW
Washington, DC 20001
elisabeth.theodore@arnoldporter.com

*Counsel for Rebecca Harper, et al.
Plaintiffs*

Phillip J. Strach
Thomas A. Farr
Alyssa M. Riggins
NELSON MULLINS RILEY &
SCARBOROUGH LLP
4140 Parklake Avenue, Suite 200
Raleigh, North Carolina 27612
phillip.strach@nelsonmullins.com
tom.farr@nelsonmullins.com
alyssa.riggins@nelsonmullins.com

Mark E. Braden
Katherine McKnight
Richard Raile
BAKER HOSTETLER LLP
1050 Connecticut Ave NW
Suite 1100
Washington, DC 20036
mBraden@bakerlaw.com
kmcknight@bakerlaw.com
rraile@bakerlaw.com

Counsel for Legislative Defendants

This the 30th day of September, 2022.

Terence Steed
Special Deputy Attorney General
Stephanie A. Brennan
Special Deputy Attorney General
Amar Majmundar
Senior Deputy Attorney General

NC DEPARTMENT OF JUSTICE
P.O. Box 629
Raleigh, NC 27602
tsteed@ncdoj.gov
sbrennan@ncdoj.gov
amajmundar@ncdoj.gov

Counsel for the State Defendants

By: s/ Hilary H. Klein
Hilary H. Klein
Southern Coalition for Social Justice

EXHIBIT A

From: [Alyssa Riggins](#)
To: [Schauf, Zachary C.](#); [Hilary Harris Klein](#); [Jones, Stanton](#); [Narendra Ghosh](#); [Cassie Holt](#); [Zimmerman, Erik](#); [Callahan, Sam](#); [Feldman, Stephen](#); [Hirsch, Sam](#); [Amunson, Jessica Ring](#); [Mittal, Urja R.](#); [Reddy, Karthik P.](#); [Steed, Terence](#); [Doerr, Adam](#); [Babb, Mary Carla \(Hollis\)](#); [Burton Craige](#); [Paul Smith](#); [Imadduri@elias.law](#); [jshelly@elias.law](#); [gwhite@elias.law](#); [akhanna@elias.law](#); [Theodore, Elisabeth](#); [Allison Riggs](#); [Mitchell D. Brown](#); [Katelin Kaiser](#); [Jeff Loperfido](#); [tom.boer@hoganlovells.com](#); [Molodanof, Olivia](#); [Phil Strach](#); [Martin Warf](#); [mbraden@bakerlaw.com](#); [kmcknight@bakerlaw.com](#); [rraile@bakerlaw.com](#); [plewis@bakerlaw.com](#); [Brennan, Stephanie](#); [Majmundar, Amar](#); [Tom Farr](#)
Subject: RE: [External]RE: Harper v. Hall; Position on Motion for Clarification
Date: Friday, September 30, 2022 12:08:40 PM
Attachments: [image001.png](#)
[LD Motion for Clarification 9.30.22.pdf](#)

Counsel,

Thank you for your prompt responses. Please find attached a copy of the motion referenced below. This was just filed with the Court.

Best,
Alyssa



ALYSSA RIGGINS SENIOR ASSOCIATE
alyssa.riggins@nelsonmullins.com
GLENLAKE ONE | SUITE 200
4140 PARKLAKE AVENUE | RALEIGH, NC 27612
T 919.329.3810 F 919.329.3799
[NELSONMULLINS.COM](#) [VCARD](#) [VIEW BIO](#)

From: Schauf, Zachary C. <ZSchauf@jenner.com>
Sent: Friday, September 30, 2022 11:25 AM
To: Hilary Harris Klein <hilaryhklein@scsj.org>; Jones, Stanton <Stanton.Jones@arnoldporter.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Narendra Ghosh <nghosh@pathlaw.com>; Cassie Holt <cassie.holt@nelsonmullins.com>; Zimmerman, Erik <EZimmerman@robinsonbradshaw.com>; Callahan, Sam <Sam.Callahan@arnoldporter.com>; Feldman, Stephen <SFeldman@robinsonbradshaw.com>; Hirsch, Sam <SHirsch@jenner.com>; Amunson, Jessica Ring <JAmunson@jenner.com>; Mittal, Urja R. <UMittal@jenner.com>; Reddy, Karthik P. <KReddy@jenner.com>; Steed, Terence <Tsteed@ncdoj.gov>; Doerr, Adam <ADoerr@robinsonbradshaw.com>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Burton Craige <brcraige@pathlaw.com>; Paul Smith <psmith@pathlaw.com>; Imadduri@elias.law; jshelly@elias.law; gwhite@elias.law; akhanna@elias.law; Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>; Allison Riggs <AllisonRiggs@southerncoalition.org>; Mitchell D. Brown <mitchellbrown@scsj.org>; Katelin Kaiser <katelin@scsj.org>; Jeff Loperfido <jeffloperfido@scsj.org>; tom.boer@hoganlovells.com; Molodanof, Olivia

<olivia.molodanof@hoganlovells.com>; Phil Strach <phil.strach@nelsonmullins.com>; Martin Warf <martin.warf@nelsonmullins.com>; mbraden@bakerlaw.com; kmcknight@bakerlaw.com; rraile@bakerlaw.com; plewis@bakerlaw.com; Brennan, Stephanie <Sbrennan@ncdoj.gov>; Majmundar, Amar <amajmundar@ncdoj.gov>; Tom Farr <tom.farr@nelsonmullins.com>

Subject: Re: [External]RE: Harper v. Hall; Position on Motion for Clarification

The NCLCV Plaintiffs also take no position on the motion.

Zachary C. Schauf

Jenner & Block LLP

1099 New York Avenue, N.W.

Suite 900, Washington, DC 20001-4412 | jenner.com

+1 202 637 6379 | TEL

+1 202 424 9309 | MOBILE

ZSchauf@jenner.com

[Download V-Card](#) | [View Biography](#)

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From: Hilary Harris Klein <hilaryhklein@scsj.org>

Date: Friday, September 30, 2022 at 10:56 AM

To: "Jones, Stanton" <Stanton.Jones@arnoldporter.com>, Alyssa Riggins <alyssa.riggins@nelsonmullins.com>, Narendra Ghosh <nghosh@pathlaw.com>, Cassie Holt <cassie.holt@nelsonmullins.com>, "Zimmerman, Erik" <EZimmerman@robinsonbradshaw.com>, "Callahan, Sam" <Sam.Callahan@arnoldporter.com>, "Feldman, Stephen" <SFeldman@robinsonbradshaw.com>, "Hirsch, Sam" <SHirsch@jenner.com>, "Schauf, Zachary C." <ZSchauf@jenner.com>, "Amunson, Jessica Ring" <JAmunson@jenner.com>, "Mittal, Urja R." <UMittal@jenner.com>, "Reddy, Karthik P." <KReddy@jenner.com>, "Steed, Terence" <Tsteed@ncdoj.gov>, "Doerr, Adam" <ADoerr@robinsonbradshaw.com>, "Babb, Mary Carla (Hollis)" <MCBabb@ncdoj.gov>, Burton Craige <bcraige@pathlaw.com>, Paul Smith <psmith@pathlaw.com>, "lmadduri@elias.law" <lmadduri@elias.law>, "jshelly@elias.law" <jshelly@elias.law>, "gwhite@elias.law" <gwhite@elias.law>, "akhanna@elias.law" <akhanna@elias.law>, "Theodore, Elisabeth" <Elisabeth.Theodore@arnoldporter.com>, Allison Riggs <AllisonRiggs@southerncoalition.org>, "Mitchell D. Brown" <mitchellbrown@scsj.org>, Katelin Kaiser <katelin@scsj.org>, Jeff Loperfido <jeffloperfido@scsj.org>, "tom.boer@hoganlovells.com" <tom.boer@hoganlovells.com>, "Molodanof, Olivia" <olivia.molodanof@hoganlovells.com>, Phil Strach <phil.strach@nelsonmullins.com>, Martin Warf <martin.warf@nelsonmullins.com>, "mbraden@bakerlaw.com" <mbraden@bakerlaw.com>, "kmcknight@bakerlaw.com" <kmcknight@bakerlaw.com>, "rraile@bakerlaw.com"

<[rraile@bakerlaw.com](mailto:raille@bakerlaw.com)>, "plewis@bakerlaw.com" <plewis@bakerlaw.com>, "Brennan, Stephanie" <Sbrennan@ncdoj.gov>, "Majmundar, Amar" <amajmundar@ncdoj.gov>, Tom Farr <tom.farr@nelsonmullins.com>

Subject: RE: [External]RE: Harper v. Hall; Position on Motion for Clarification

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Alyssa, Common Cause also takes no position on the motion.

Hilary Harris Klein
hilaryhklein@scsj.org

From: Jones, Stanton <Stanton.Jones@arnoldporter.com>

Sent: Friday, September 30, 2022 10:47 AM

To: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Narendra Ghosh <nghosh@pathlaw.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Zimmerman, Erik <EZimmerman@robinsonbradshaw.com>; Callahan, Sam <Sam.Callahan@arnoldporter.com>; Feldman, Stephen <SFeldman@robinsonbradshaw.com>; Hirsch, Sam <SHirsch@jenner.com>; Schauf, Zachary C. <ZSchauf@jenner.com>; Amunson, Jessica Ring <JAmunson@jenner.com>; Mittal, Urja R. <UMittal@jenner.com>; Reddy, Karthik P. <KReddy@jenner.com>; Steed, Terence <Tsteed@ncdoj.gov>; Doerr, Adam <ADoerr@robinsonbradshaw.com>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Burton Craige <bcraige@pathlaw.com>; Paul Smith <psmith@pathlaw.com>; lmadduri@elias.law; jshelly@elias.law; gwhite@elias.law; akhanna@elias.law; Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>; Allison Riggs <AllisonRiggs@southerncoalition.org>; Mitchell D. Brown <mitchellbrown@scsj.org>; Katelin Kaiser <katelin@scsj.org>; Jeff Loperfido <jeffloperfido@scsj.org>; tom.boer@hoganlovells.com; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Phil Strach <phil.strach@nelsonmullins.com>; Martin Warf <martin.warf@nelsonmullins.com>; mbraden@bakerlaw.com; kmcknight@bakerlaw.com; rraile@bakerlaw.com; plewis@bakerlaw.com; Brennan, Stephanie <Sbrennan@ncdoj.gov>; Majmundar, Amar <amajmundar@ncdoj.gov>; Tom Farr <tom.farr@nelsonmullins.com>

Subject: [External]RE: Harper v. Hall; Position on Motion for Clarification

Alyssa: Harper plaintiffs take no position on the motion.

Regards,
Stanton

From: Alyssa Riggins <alyssa.riggins@nelsonmullins.com>

Sent: Friday, September 30, 2022 9:47 AM

To: Narendra Ghosh <nghosh@pathlaw.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Cassie Holt <cassie.holt@nelsonmullins.com>; Zimmerman, Erik <EZimmerman@robinsonbradshaw.com>; Callahan, Sam <Sam.Callahan@arnoldporter.com>; Feldman, Stephen <SFeldman@robinsonbradshaw.com>; Hirsch, Sam <SHirsch@jenner.com>; Schauf, Zachary C.

<ZSchauf@jenner.com>; Amunson, Jessica Ring <JAmunson@jenner.com>; Mittal, Urja R. <UMittal@jenner.com>; Reddy, Karthik P. <KReddy@jenner.com>; Steed, Terence <Tsteed@ncdoj.gov>; Doerr, Adam <ADoerr@robinsonbradshaw.com>; Babb, Mary Carla (Hollis) <MCBabb@ncdoj.gov>; Jones, Stanton <Stanton.Jones@arnoldporter.com>; Burton Craige <bcraige@pathlaw.com>; Paul Smith <psmith@pathlaw.com>; zzz.External.lmadduri@elias.law <lmadduri@elias.law>; zzz.External.jshelly@elias.law <jshelly@elias.law>; zzz.External.gwhite@elias.law <gwhite@elias.law>; zzz.External.akhanna@elias.law <akhanna@elias.law>; Theodore, Elisabeth <Elisabeth.Theodore@arnoldporter.com>; Allison Riggs <AllisonRiggs@southerncoalition.org>; Mitchell D. Brown <mitchellbrown@scsj.org>; Katelin Kaiser <katelin@scsj.org>; Jeff Loperfido <jeffloperfido@scsj.org>; tom.boer@hoganlovells.com; Molodanof, Olivia <olivia.molodanof@hoganlovells.com>; Phil Strach <phil.strach@nelsonmullins.com>; Martin Warf <martin.warf@nelsonmullins.com>; mbraden@bakerlaw.com; kmcknight@bakerlaw.com; rraile@bakerlaw.com; plewis@bakerlaw.com; Brennan, Stephanie <Sbrennan@ncdoj.gov>; Majmundar, Amar <amajmundar@ncdoj.gov>; Tom Farr <tom.farr@nelsonmullins.com>

Subject: Harper v. Hall; Position on Motion for Clarification

External E-mail

Dear Counsel,

It has recently come to our attention that Tim Longest, a candidate for HD34, remains a law clerk for Justice Hudson. We intend to file a motion today seeking confirmation that Mr. Longest is not participating in this case. Given the time sensitive nature of this matter, please let us know your position on this motion by **12:00 PM today**.

Best,
Alyssa



ALYSSA RIGGINS **SENIOR ASSOCIATE**

alyssa.riggins@nelsonmullins.com

GLENLAKE ONE | SUITE 200

4140 PARKLAKE AVENUE | RALEIGH, NC 27612

T 919.329.3810 F 919.329.3799

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