

# Supreme Court of North Carolina

ROY A. COOPER, III, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF THE STATE OF NORTH CAROLINA

v

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

From N.C. Court of Appeals  
( 17-694 P17-101 P17-412 )  
From Wake  
( 16CVS15636 17CVS5084 )

18 August 2017

\* \* \* \* \*  
O R D E R

The Court, on its own motion, orders the State to make a filing no later than 2:00 p.m. on Monday, 21 August 2017 containing the following information:

- 1) the identity of each county board of elections which currently lacks a quorum;
- 2) the extent, if any, to which any affected county board of elections would be unable to act even if the consent order which has been proposed by the parties is entered;
- 3) the nature and extent of any pending, unresolved complaints which affect the manner in which any election to be held on or before 12 September 2017 in any of those counties is to be conducted;
- 4) the date or dates upon which the ballots associated with any election affected by those complaints have to be made available for absentee or early voting purposes;
- 5) the date or dates upon which absentee or early voting must begin in any election affected by those complaints;
- 6) and any other relevant information that the State believes would be helpful to the Court.

The other parties are ordered to advise the Court of the extent, if any, to which they wish to supplement or comment upon any of the information provided by the State in response to this order no later than 5:00 p.m. on Monday, 21 August 2017 and the date and time at which any such supplemental information or comments can be filed with the Court. In the event that the parties cannot, with reasonable effort, make the filings required

by this order, they should notify the Court of the time and date upon which they reasonably believe that the required filing can be made.

**s/ Ervin, J.  
For the Court**

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 18th day of August,  
2017.



*J. Bryan Boyd*

J. Bryan Boyd  
Clerk, Supreme Court of North Carolina

M. C. Hackney  
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals  
Mr. D. Martin Warf, Attorney at Law, For Berger, Philip E.  
Mr. Noah H. Huffstetler, III, Attorney at Law, For Berger, Philip E.  
Ms. Candace S. Friel, Attorney at Law, For Berger, Philip E.  
Mr. Jim W. Phillips, Jr., Attorney at Law, For Cooper, Roy A. (III)  
Mr. Eric M. David, Attorney at Law, For Cooper, Roy A. (III)  
Mr. Daniel F.E. Smith, Attorney at Law, For Cooper, Roy A. (III)  
Mr. Grayson Kelley, Chief Deputy  
Mr. Alexander McC. Peters, Special Deputy Attorney General, For State of N.C.  
Mr. John R. Wester, Attorney at Law, For Hunt, James B., Jr., et al.  
Mr. J. Dickson Phillips, III, Attorney at Law, For Hunt, James B., Jr., et al.  
Mr. Adam K. Doerr, Attorney at Law, For Hunt, James B., Jr., et al.  
Mr. Andrew H. Erteschik, Attorney at Law, For Brennan Center for Justice at NYU School of Law, et al.  
Ms. Allison J. Riggs, Attorney at Law, For County Board Members  
Ms. Anita S. Earls, Attorney at Law, For County Board Members  
Ms. Emily E. Seawell, Attorney at Law, For County Board Members  
Mr. Alexander McC. Peters, Senior Deputy Attorney General, For State of N.C.  
Mr. Kevin Crandall, Attorney at Law, For Hunt, James B., Jr., et al.  
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