

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:15-cv-00399**

SANDRA LITTLE COVINGTON, et al.,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al.,

Defendants.

**[PROPOSED] ORDER ON  
PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION**

THIS MATTER came before the undersigned three-judge panel of this Court on Plaintiffs' Motion for Preliminary Injunction. Having considered that Motion and all exhibits filed in connection therewith, as well as the pleadings of record and the arguments of counsel, the Court finds that the Plaintiffs' Motion for Preliminary Injunction should be GRANTED. The Court hereby makes the following findings and conclusions:

1. This Court has jurisdiction to hear Plaintiffs' claims pursuant to 42 U.S.C. §§ 1983 and 1988, and 28 U.S.C. §§ 1331, 1343(a)(3), and 1357.
2. Plaintiffs are likely to succeed on the merits of their claims that North Carolina Senate Districts 4, 5, 14, 20, 21, 28, 32, 38 and 40 in the 2011 Enacted State Senate Plan, and North Carolina House Districts 5, 7, 12, 21, 24, 29, 31, 32, 33, 38, 42, 48, 57, 99, 102, and 107 in the 2011 Enacted State House Plan, each constitute racial gerrymanders in violation of the Equal Protection Clause of the Fourteenth Amendment.

3. The 2011 State Senate and House Plans containing these unconstitutional racial gerrymanders are causing irreparable injury to Plaintiffs and will continue to cause irreparable injury unless such conduct is preliminarily enjoined.
4. The equities favor granting this preliminary injunction, in part because any potential harm to Defendants resulting from granting this preliminary injunction is far outweighed by the irreparable harm to Plaintiffs that would result from denying such relief.
5. Granting a preliminary injunction in this case will serve the public interest.

IT IS THEREFORE ORDERED THAT:

1. Defendants and all persons acting in concert or participation with Defendants, or pursuant to Defendants' authority, direction or control, are hereby immediately enjoined from beginning the 2016 election process for the following districts-- North Carolina Senate Districts 4, 5, 14, 20, 21, 28, 32, 38 and 40 as drawn in the 2011 Enacted State Senate Plan, and North Carolina House Districts 5, 7, 12, 21, 24, 29, 31, 32, 33, 38, 42, 48, 57, 99, 102, and 107 as drawn in the 2011 Enacted State House Plan—until further order from this Court;
2. It is further ordered that this matter be scheduled for trial promptly, and the parties shall appear for a conference to schedule trial matters on \_\_\_\_\_, 2015, at \_\_\_\_\_; and
3. This Order shall remain in effect until further order of the Court.

So ordered, this the \_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_  
Thomas Schroeder  
United States District Court Judge  
Middle District of North Carolina

By: \_\_\_\_\_  
James Wynn, Jr.  
United States Circuit Judge  
United States Court of Appeals for the Fourth  
Circuit

By: \_\_\_\_\_  
Catherine Eagles  
United States District Court Judge  
Middle District of North Carolina