

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DAVID HARRIS and CHRISTINE)
BOWSER,)
)
Plaintiffs,)
)
v.) 1:13CV949
)
PATRICK MCCRORY, in his)
capacity as Governor of North)
Carolina, NORTH CAROLINA)
STATE BOARD OF ELECTIONS,)
and JOSHUA HOWARD, in his)
capacity as Chairman of the)
North Carolina State Board)
of Elections,)
)
Defendants.)

ORDER

Presently before this court is a motion to establish a remedial plan briefing schedule filed by Plaintiffs David Harris and Christine Bowser ("Plaintiffs"). (Doc. 150.)

On February 5, 2016, after a three-day trial, this court found that the 2011 congressional district map drawn by the North Carolina legislature after the 2010 census was unconstitutional, and issued an opinion and judgment ordering North Carolina to draw a new congressional district plan by February 19, 2016. (Docs. 142, 143). North Carolina enacted a new plan on that date, (Doc. 149-1), the same day that the

Supreme Court denied their application for a stay of this court's order pending appeal. (See Doc. 150-1.)

Plaintiffs now contend that the new plan enacted by North Carolina suffers from the same issues as the one that this court struck down, and have asked this court to set out a briefing schedule for expedited review of that plan. (Doc. 150.) The court finds that Defendants should have a chance to be heard on this request before any briefing commences.

IT IS THEREFORE ORDERED that Defendants may respond, if at all, to Plaintiffs' motion to establish a briefing schedule by 9:00 a.m., February 23, 2016. Any response by Defendants shall be limited to three pages and should state Defendants' position as to the process proposed by Plaintiffs, without any substantive argument in response to Plaintiffs as to the merits of the new plan.

This the 22nd day of February, 2016.


United States District Judge