

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
NO. 1:13-CV-00949**

DAVID HARRIS and CHRISTINE
BOWSER,

Plaintiffs,

v.

PATRICK MCCRORY, in his capacity as
Governor of North Carolina; NORTH
CAROLINA STATE BOARD OF
ELECTIONS; and A. GRANT WHITNEY,
JR., in his capacity as Chairman of the
North Carolina State Board of Elections,

Defendants.

**CONSENT MOTION FOR
EXTENSION OF TIME TO
RESPOND TO FEE PETITION**

Defendants move the Court for a thirty day extension of time to serve a response to plaintiffs' Motion for Award of Attorneys' Fees and Litigation Expenses (the "Fee Petition"). (D.E. 165) In support of this motion, defendants show the Court as follows:

1. Plaintiffs filed the Fee Petition on April 5, 2016. (D.E. 165) The parties jointly stipulated and agreed to an extension of time for defendants to respond to the motion on April 19, 2016. (D.E. 167) Defendants' response is currently due May 23, 2016. (D.E. 168)
2. Due to trial conflicts and other extenuating circumstances, defendants need additional time to prepare a response to the Fee Petition.

3. The parties have filed contemporaneously with the instant motion a joint Motion to Stay Decision on Fee Petition, which requests that the Court defer ruling on the Fee Petition until the conclusion of proceedings in the United States Supreme Court in this matter. Accordingly, the extension of time requested herein will not delay the proceedings or result in any prejudice to any party.

4. Defendants intend to file an opposition to the Motion for an Award of Attorneys' Fees within this extension of time and do not anticipate any further requests for extension of time. Plaintiffs consent to granting defendants an additional thirty (30) days from the current due date to serve a response to plaintiffs' Fee Petition.

WHEREFORE, defendants respectfully request that the Court extend the time by which defendants must serve a response to the Fee Petition by thirty (30) days.

Respectfully submitted, this the 19th day of May, 2016.

NORTH CAROLINA DEPARTMENT OF
JUSTICE

/s/ Alexander McC. Peters

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CERTIFICATE OF SERVICE

I, Thomas A. Farr, hereby certify that I have this day electronically filed the foregoing **CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO FEE PETITION** with the Clerk of Court using the CM/ECF system which will provide electronic notification of the same to the following:

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This the 19th day of May, 2016.

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