

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
NO. 1:15-CV-00399

SANDRA LITTLE COVINGTON, *et al.*,)
)
 Plaintiffs,)
) **PLAINTIFFS' NOTICE OF**
 v.) **INCUMBENT LIST**
)
 STATE OF NORTH CAROLINA, *et al.*)
)
 Defendants.)
)
 _____)

COME NOW Plaintiffs pursuant to Paragraph 5 of this Court's November 1, 2017 Order (Doc. 206) and hereby identify incumbents covered by Paragraph 2(g) of the same Order in the attached exhibits. The House incumbent list is attached as Exhibit 1. The Senate incumbent list is attached as Exhibit 2.

Plaintiffs sought to reach agreement with Legislative Defendants concerning the appropriate individuals to include in each list, or, alternatively, to file a single submission that represented each party's views. Legislative Defendants refused to include Plaintiffs' contentions concerning the House incumbent list in the exhibits to a joint filing. Therefore, Plaintiffs file this Notice to reflect their understanding of the facts.

The dispute between the parties is over whether Representative Larry Bell should be identified as an incumbent in HD 21. Plaintiffs contend that he should not be included on this list as defined by the Court in its Order. Representative Bell has publicly announced that he is not running for another term. *See* Colin Campbell, *NC Rep. Larry Bell to Step Down Next Year*, NEWS AND OBSERVER, Apr. 7, 2017,

<http://www.newsobserver.com/news/politics-government/state->

[politics/article145086079.html](http://www.newsobserver.com/news/politics-government/state-politics/article145086079.html); and Chris Berendt, *Bell Will Not Seek 10th Term*,

SAMPSON INDEPENDENT, Apr. 17, 2017, [http://www.clintonnc.com/news/19284/bell-will-](http://www.clintonnc.com/news/19284/bell-will-not-seek-10th-term)

[not-seek-10th-term](http://www.clintonnc.com/news/19284/bell-will-not-seek-10th-term). Legislative Defendants contend that an incumbent has not “publicly announced” his or her intention not to run until such time and the incumbent somehow separately announces to the House or its leadership that he or she is not running again in 2018.

Plaintiffs further contend that the residence address for Senator Trudy Wade on Exhibit 2 should be verified with Senator Wade because other members of the legislature have reported in sworn testimony in this case that Senator Wade has moved. Legislative defendants disagree.

Respectfully submitted this the 8th day of November, 2017.

**SOUTHERN COALITION FOR
SOCIAL JUSTICE**

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of November, 2017, I have served the foregoing **PLAINTIFFS NOTICE OF INCUMBENT LIST** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel and parties of record.

This the 8th day of November, 2017.

/s/ Anita S. Earls