

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

COMMON CAUSE, *et al.*,)
)
Plaintiffs,)
)
v.)
)
ROBERT A. RUCHO, in his official)
capacity as Chairman of the North)
Carolina Senate Redistricting Committee)
for the 2016 Extra Session and Co-)
Chairman of the Joint Select Committee)
on Congressional Redistricting, *et al.*,)
)
Defendants.)

CIVIL ACTION
NO. 1:16-CV-1026-WO-JEP

THREE-JUDGE COURT

League of Women Voters of North)
Carolina, *et al.*,)
)
Plaintiffs,)
)
v.)
)
Robert A. Rucho, in his official capacity)
as Chairman of the North Carolina)
Senate Redistricting Committee for the)
2016 Extra Session and Co-Chairman of)
the 2016 Joint Select Committee on)
Congressional Redistricting, *et al.*,)
)
Defendants.)

CIVIL ACTION
NO. 1:16-CV-1164-WO-JEP

THREE JUDGE PANEL

**MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS
FIRST AMENDED COMPLAINT FILED BY LEAGUE OF WOMEN VOTERS
OF NORTH CAROLINA ("LWVNC") PLAINTIFFS IN CASE NO. 1:16-CV-1164**

Pursuant to Fed. R. Civ. P. 12(b)(6) and L.R. 7.3, defendants hereby move to dismiss Plaintiff LWVNC's first amended complaint. In support of their motion, defendants respectfully incorporate the arguments contained in defendants' original memorandum in support of motion to dismiss (D.E. 31), as well as arguments contained in defendants' reply brief. (D.E. 35)¹

Respectfully submitted this 21st day of February, 2017.

NORTH CAROLINA DEPARTMENT OF
JUSTICE

By: /s/ Alexander McC. Peters

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¹ All docket entry citations (D.E. _) denote citations to the docket in *League of Women Voters, et al v. Rucho, et al*, No. 1:16-CV-1164-WO-JEP (M.D.N.C.) (three judge panel).

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/s/ Thomas A. Farr

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CERTIFICATE OF SERVICE

I, Thomas A. Farr, hereby certify that I have this day electronically filed the foregoing **DEFENDANTS' MEMORANDUM IN SUPPORT OF MOTION TO DISMISS FIRST AMENDED COMPLAINT FILED BY LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA ("LWVNC") PLAINTIFFS IN CASE NO. 1:16-CV-1164** 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 21st day of February, 2017.

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