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

SHAUNA WILLIAMS, et al., Plaintiffs, v. REPRESENTATIVE DESTIN HALL, et al., Defendants.	Case No. 1:23-cv-01057
NORTH CAROLINA STATE CONFERENCE OF THE NAACP, et al., Plaintiffs, v. PHILIP BERGER, et al., Defendants.	Case No. 1:23-cv-01104

CONSENT MOTION FOR EXTENSION OF TIME TO ANSWER SUPPLEMENTAL COMPLAINTS BY STATE DEFENDANTS

NOW COME Defendants the North Carolina State Board Elections, and Francis X. De Luca, Stacy Eggers, IV, Jeff Carmon, III, Siobhan O'Duffy Millen, and Robert Rucho; and the State of North Carolina (collectively

"State Defendants"), pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Civil Rule 7.3(j), to request an extension of thirty (30) days, up to and including January 14, 2026, to answer NAACP Plaintiffs' Supplemental Complaint [D.E. 180] and Williams Plaintiffs' Supplement Complaint. [D.E. 181]

In support of this motion, the State Defendants state the following:

1. Plaintiff NAACP filed their first supplemental complaint in this action on October 30, 2025. [D.E. 180]

2. Plaintiff Williams filed their supplemental complaint in this action on October 31, 205. [D.E. 181]

3. On November 6, 2025, this Court issued a Scheduling Order granting in part and denying in part the Plaintiffs' motion [D.E. 185] to expedite a briefing schedule, hearing date, and decision NAACP Plaintiffs' motion for preliminary injunction. [D.E. 198] In addition to setting briefing schedules on pending motions for prelamination injunction and to dismiss, the Court also set a pretrial schedule on the new claims, including that Defendants must file responsive pleadings on or before December 15, 2025, followed by expert discovery starting in late January through March, pretrial disclosures in April and May, and trial to be set by the Court at a later date. *Id.*

4. Undersigned counsel for the State Defendants hereby requests an extension of thirty (30) days of the December 15, 2025 deadline to file an answer to the supplemental complaints to January 14, 2026. State Defendants respectfully submit that good cause exists for this request. It is necessary to thoroughly consider the factual allegations made in both supplemental complaints, verify certain information therein, discuss same with the State Board Defendants, determine the appropriate response, and prepare same for filing with the Court. This request is primarily based on those necessary tasks, but is also based in part on the upcoming state holidays, additional scheduled time off during this period, and a medical procedure scheduled for the first week in January.

5. The time requested is also based in part on upcoming obligations of undersigned counsel in other matters, including, but not limited to the preparation and filing of the State's response brief, to be filed on or before December 22, 2025, in the matter of *State v. Atwater* (COA25-904) (NC Court of Appeals); preparation and attendance at a mediation to be scheduled for January 6, 2025; and preparation of arguing co-counsel for oral argument on January 13, 2025, in the matter of *Cummings v. North Carolina State Board of Elections* (COA25-833) (NC Court of Appeals).

6. This is State Board Defendants' first request for an extension of the deadline to respond to Plaintiffs' Supplemental Complaints.

7. This motion is being made within the current deadline and is not being made for any improper purpose. State Board Defendants will be filing answers only, the extended deadline of January 14, 2026 is before any other deadlines in this case and does not require any other deadlines to be moved, and as a result, this motion will not delay the litigation.

8. The undersigned believes that the extension of time is reasonable to accomplish the steps described above and will not prejudice the other parties.

9. Undersigned consulted with all parties about filing the instant request and explained the undersigned's need for additional time to respond. Williams Plaintiffs, NAACP Plaintiffs, and Legislative Defendants all consented to the requested extension.

10. A proposed order granting State Defendants' Motion for Extension of Time is attached hereto.

WHEREFORE, the State Defendants respectfully request the Court issue an order extending the time within which to respond to Plaintiffs' supplemental complaints up to and including January 14, 2026.

[Signature Page Follows]

Respectfully submitted this the 15th day of December, 2025.

NORTH CAROLINA
DEPARTMENT OF JUSTICE

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(PROPOSED)
ORDER

THIS MATTER is before the Court on the consent motion of Defendants North Carolina State Board of Elections, Alan Hirsch, Jeff Carmon, III, Stacy Eggers, IV, Kevin N. Lewis, and Siobhan O'Duffy Millen; and the State of North Carolina (collectively, the "State Defendants") to request an extension of thirty (30) days of the deadline within which to

answer NAACP Plaintiffs' Supplemental Complaint [D.E. 180] and Williams Plaintiffs' Supplement Complaint [D.E. 181] from December 15, 2025 to January 14, 2026; and

It appearing that Williams Plaintiffs, NAACP Plaintiffs, and Legislative Defendants' counsel consent to this request and that good cause exists to grant State Defendants' motion;

IT IS HEREBY ORDERED that State Defendants shall have up to and including January 14, 2026, to file a response to Plaintiffs' supplemental complaints. [D.E. 180, 181]

Dated this the _____ day of _____, 202___.

_____
United States District Court Judge/Magistrate/Clerk