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 SECOND EXTENSION OF TIME FOR STATE DEFENDANTS TO ANSWER OR OTHERWISE RESPOND TO SUPPLEMENTAL COMPLAINTS

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 February 13, 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, 2025. [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 on NAACP Plaintiffs' motion for preliminary injunction. [D.E. 198] In addition to setting briefing schedules on pending motions for preliminary injunctions 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. On December 15, 2025, State Defendants filed a Consent Motion for Extension of Time to Answer or Otherwise Respond to NAACP Plaintiffs'

Supplemental Complaint [D.E. 180] and Williams Plaintiffs' Supplement Complaint [D.E. 181], requesting an extension of time allowing the State Defendants' responses to be due on January 14, 2026. [D.E. 217] This Court granted the motion. [D.E. 218]; *see also* the December 17, 2025 Text Only Order. Accordingly, State Defendants have until January 14, 2026 to answer or otherwise respond to NAACP Plaintiffs' Supplemental Complaint [D.E. 180] and Williams Plaintiffs' Supplement Complaint. [D.E. 181]

5. The parties are discussing a resolution, including a voluntary dismissal of the remaining claims. However, it is not clear if an agreement will be reached before January 14, 2026.

6. In an exercise of caution, undersigned counsel for the State Defendants hereby requests an extension of thirty (30) days of the January 14, 2026 deadline to file an answer or otherwise respond to the supplemental complaints to February 13, 2026. State Defendants respectfully submit that good cause exists for this request. In the event that the remaining claims are not voluntarily dismissed, it is necessary for the State Board 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.

7. The requested extension is also based in part on ongoing obligations of undersigned counsel in other matters, including but not limited to preparation for oral argument on January 13, 2026 in the matter of *Cummings v. North Carolina State Board of Elections* (COA25-833) (NC Court of Appeals). Moreover, undersigned counsel's co-counsel, Terence Steed, had surgery last week, is recovering, and is unable to assist with preparing a response.

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

9. This motion is being made within the current deadline and is not being made for any improper purpose.

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

11. 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.

12. A proposed order granting State Defendants' Second 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 February 13, 2026.

Respectfully submitted this the 12th day of January, 2026.

NORTH CAROLINA
DEPARTMENT OF JUSTICE

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(PROPOSED)
ORDER

Before the court is the second 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") for an extension of thirty (30)

days of the deadline within which to answer NAACP Plaintiffs' Supplemental Complaint (Doc. 180) and Williams Plaintiffs' Supplement Complaint (Doc. 181) from January 14, 2026 to February 13, 2026. The Williams Plaintiffs, NAACP Plaintiffs, and Legislative Defendants' counsel consent to this request. For good cause shown;

IT IS HEREBY ORDERED that the State Defendants shall have up to and including February 13, 2026, to file a response to Plaintiffs' supplemental complaints. (Docs. 180, 181)

Dated this the _____ day of _____, 2026

_____
United States District Court Judge/Magistrate/Clerk