UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

SHAUNA WILLIAMS, et al., *Plaintiffs*, v. REPRESENTATIVE DESTIN HALL, in his official capacity as Chair of the House Standing Committee on Redistricting, et al., *Defendants*.	Civil Action No. 23 CV 1057
NORTH CAROLINA STATE CONFERENCE OF THE NAACP, et al., *Plaintiffs*, v. PHILIP BERGER, in his official capacity as the President Pro Tempore of the North Carolina Senate, et al., *Defendants.*	Civil Action No. 23 CV 1104

UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL OF PLAINTIFF JOAN CHAVIS

Pursuant to Federal Rules of Civil Procedure 21 and 41(a)(2), NAACP Plaintiffs move for the voluntary dismissal of Joan Chavis as a party in this action. Counsel for NAACP Plaintiffs have conferred with counsel for both State Board Defendants and Legislative Defendants, who have indicated that they do not oppose this motion. All other NAACP Plaintiffs will remain in this litigation.

Rule 21 provides that "[o]n motion or on its own, the court may at any time, on just terms, add or drop a party." Rule 41(a)(2) similarly provides that "an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper."

Ms. Chavis has moved out of Wake County and House District 37, and thus her claims for declaratory and injunctive relief arising out of her past residency in that county and district are moot. The remaining NAACP Plaintiffs will continue to pursue the same claims asserted by Ms. Chavis in their Complaint. *See* Doc. 1 at ¶¶ 15, 17, 272–280, *N.C. State Conf. of the NAACP v. Berger*, No. 1:23-cv-1104 (M.D.N.C. Dec. 19, 2023).

Accordingly, NAACP Plaintiffs respectfully request that this Court enter an order voluntarily withdrawing Joan Chavis, without prejudice, from this litigation.

Dated: July 17, 2024

Respectfully submitted,

/s/ Hilary Harris Klein
Hilary Harris Klein

HOGAN LOVELLS US LLP

J. Tom Boer*
Corey Leggett*
Olivia Molodanof*
Madeleine Bech*
4 Embarcadero Center, Suite 3500
San Francisco, CA 94111
Telephone: 415-374-2300
Facsimile: 415-374-2499
tom.boer@hoganlovells.com
corey.leggett@hoganlovells.com
olivia.molodanof@hoganlovells.com

Jessica L. Ellsworth*
Misty Howell*

SOUTHERN COALITION FOR SOCIAL JUSTICE

Jeffrey Loperfido (State Bar #52939)
Hilary Harris Klein (State Bar #53711)
Christopher Shenton (State Bar #60442)
Mitchell D. Brown (State Bar #56122)
5517 Durham Chapel Hill Blvd.
Durham, NC 27707
Telephone: 919-794-4213
Facsimile: 919-908-1525
hilaryhklein@scsj.org
jeffloperfido@scsj.org
chrisshenton@scsj.org
mitchellbrown@scsj.org

Odunayo Durojaye*
555 Thirteenth Street, NW
Washington, DC 20004
Telephone: 202-637-5600
Facsimile: 202-637-5910
jessica.ellsworth@hoganlovells.com

Harmony Gbe*
1999 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Telephone: 310-785-4600
Facsimile: 310-785-4601
harmony.gbe@hoganlovells.com

*Appearing in this matter by Special Appearance pursuant to L-R 83.1(d)

NAACP

Janette Louard*
4805 Mt. Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

CERTIFICATE OF SERVICE

I certify that on July 17, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Hilary Harris Klein
Hilary Harris Klein

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[PROPOSED] ORDER GRANTING MOTION TO WITHDRAW PLAINTIFF JOAN CHAVIS

The Court GRANTS the "Unopposed Motion for Voluntary Dismissal of Plaintiff Joan Chavis" (Doc. ___) and DISMISSES Plaintiff Joan Chavis's claims WITHOUT PREJUDICE as MOOT. The Order DOES NOT AFFECT the other NAACP Plaintiffs' claims. The case shall REMAIN OPEN.

SO ORDERED and SIGNED this ___ day of _____, 2024.

_____
UNITED STATES DISTRICT JUDGE