

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

RALEIGH WAKE CITIZENS ASSOCIATION, *et al.*,)
)

Plaintiffs,)

v.)

THE WAKE COUNTY BOARD OF)
ELECTIONS,)

Defendant.)

5:15-cv-156

CALLA WRIGHT, *et al.*,)

Plaintiffs,)

v.)

THE WAKE COUNTY BOARD OF)
ELECTIONS,)

Defendants.)

5:13-cv-607

**OBJECTIONS AND MOTION TO QUASH SUBPOENAS
SERVED ON STATE LEGISLATORS**

NOW COME Senator John Chadwick Barefoot, Senator Robert A. Rucho, Representative David Ray Lewis, and Representative Paul Stam, (collectively “the legislative movants”), by and through undersigned counsel, and hereby submit objections and move to quash the subpoenas served on them by plaintiffs in the above-captioned action on the grounds that each of the legislative movants is entitled to legislative immunity, and the information sought by plaintiff’s in their subpoena is confidential and subject to legislative privilege. In addition, to the extent that

any of the information sought is subject to disclosure, the subpoenas are unreasonable because the period for compliance is unreasonably short given the overly broad request. The bases for the legislative movants' motion to quash is fully briefed in the memorandum in support of this motion, which is filed contemporaneously herewith and incorporated herein by reference as though fully set forth.

WHEREFORE, the legislative movants respectfully pray that the Court quash the subpoenas served on them by plaintiffs.

This the 4th day of November, 2015.

NORTH CAROLINA DEPARTMENT OF
JUSTICE

By: /s/ Alexander McC. Peters

Alexander McC. Peters
Senior Deputy Attorney General
N.C. State Bar No. 13654
apeters@ncdoj.gov

/s/ Melissa L. Trippe

Melissa L. Trippe
Special Deputy Attorney General
N.C.State Bar. No. 13739
mtrippe@ncdoj.com

P.O. Box 629
Raleigh, NC 27602
Telephone: 919.716.6900
Facsimile: 919.716.6763

*Counsel for Senator John Chadwick Barefoot,
Senator Robert A. Rucho, Representative David Ray
Lewis, and Representative Paul Stam*

CERTIFICATE OF SERVICE

I, Alexander McC. Peters, hereby certify that I have this day electronically filed the foregoing OBJECTIONS AND MOTION TO QUASH with the Clerk of Court using the CM/EFC system which will send notification of such filing to the following:

Anita S. Earls
Southern Coalition for Social Justice
1415 Hwy. 54, Suite 101
Durham, NC 27707
Counsel for Plaintiffs

Charles F. Marshall
BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD
Post Office Box 1800
Raleigh, NC 27602
Counsel for Defendant

This the 4th day of November, 2015.

/s/ Alexander McC. Peters
Alexander McC. Peters
Senior Deputy Attorney General