

FILED

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

NORTH CAROLINA ALLIANCE FOR
RETIRED AMERICANS; BARKER
FOWLER; BECKY JOHNSON; JADE
JUREK; ROSALYN KOCIEMBA; TOM
KOCIEMBA; SANDRA MALONE; and
CAREN RABINOWITZ,

DOCKET NO. 20-CVS-8881

Plaintiffs,

v.

THE NORTH CAROLINA STATE BOARD
OF ELECTIONS; and DAMON CIRCOSTA,
in his official capacity as CHAIR OF THE
NORTH CAROLINA STATE BOARD OF
ELECTIONS,

Defendants,

PHILIP E. BERGER, in his official capacity as
President Pro Tempore of the North Carolina
Senate, and TIMOTHY K. MOORE, in his
official capacity as Speaker of the North
Carolina House of Representatives,

Intervenor-Defendants,

and

REPUBLICAN NATIONAL COMMITTEE;
NATIONAL REPUBLICAN SENATORIAL
COMMITTEE; NATIONAL REPUBLICAN
CONGRESSIONAL COMMITTEE;
DONALD J. TRUMP FOR PRESIDENT,
INC.; AND NORTH CAROLINA
REPUBLICAN PARTY,

Republican Committee
Intervenor-Defendants.

NOTICE OF WITHDRAWAL OF APPEAL

The Republican National Committee, National Republican Senatorial Committee, National Republican Congressional Committee, Donald J. Trump for President, Inc., and the North Carolina Republican Party (collectively, the "Republican Committees") hereby give notice of the withdrawal of their appeal to the Court of Appeals of North Carolina from the order approving and entering a Consent Judgment between the Plaintiffs, the North Carolina State Board of Elections, and Damon Circosta that was entered by the Honorable G. Bryan Collins, Jr., Superior Court Judge, on October 2, 2020 in the Superior Court of Wake County.

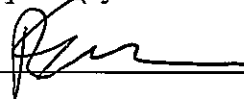
The Republican Committees had filed a notice of appeal in the Superior Court of Wake County on October 5, 2020. The Consent Judgment by its terms applied only to the 2020 general election. Because the Republican Committees' specific interests in the administration of the 2020 elections have reached their conclusion, their appeal in the above captioned action is now moot. The Republican Committees are accordingly exercising their right to withdraw their appeal pursuant to N.C. R. App. P. 37(e)(1).

Dated: January 13, 2021

Bobby R. Burchfield (pro hac vice)
Matthew M. Leland (pro hac vice)
KING & SPALDING LLP
1700 Pennsylvania Ave., N.W., Suite 200
Washington, D.C. 20006-4707
Telephone: (202) 737-0500
Facsimile: (202) 626-3737
Bburchfield@kslaw.com
Mleland@kslaw.com

Attorneys for Republican Committees

Respectfully submitted,



R. Scott Tobin, NC Bar No. 34317
TAYLOR ENGLISH DUMA LLP
4208 Six Forks Road, Suite 1000
Raleigh, NC 27609
Telephone: (404) 640-5951
stobin@taylorenghish.com

Attorney for Republican Committees

CERTIFICATE OF SERVICE

I certify that I have on this 13th day of January, 2021, served a copy of the foregoing by email and by United States mail, postage prepaid, to counsel for the Plaintiffs, Defendants, and Intervenor-Defendants at the following addresses:

For the Plaintiffs:

Marc E. Elias
Uzoma N. Nkwonta
Ariel B. Glickman
Jyoti Jasrasaria
Lalitha D. Madduri
PERKINS COIE LLP
700 Thirteenth St., N.W., Suite 600
Washington, D.C. 20005-3960

Burton Craige (State Bar No. 9180)
Narendra K. Ghosh (State Bar No. 37649)
Paul E. Smith (State Bar No. 45014)
PATTERSON HARKAVY LLP
100 Europa Dr., Suite 420
Chapel Hill, N.C. 27517

For the Defendants:

Alexander McC. Peters
Paul M. Cox
NORTH CAROLINA DEPARTMENT OF
JUSTICE
P.O. Box 629
Raleigh, N.C. 27602

For the Intervenor-Defendants:

Nicole J. Moss (State Bar No. 31958)
COOPER & KIRK, PLLC
1523 New Hampshire Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 220-9600
Fax: (202) 220-9601
nmoss@cooperkirk.com

Nathan Huff (State Bar No. 40626)
PHELPS DUNBAR LLP
4140 Park Lake Avenue, Suite 100
Raleigh, N.C. 27612
Telephone: (919) 789-5300
Fax: (919) 789-5301
nathan.huff@phelps.com



R. Scott Tobin