

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:23-cv-00862-TDS-JEP

DEMOCRATIC NATIONAL
COMMITTEE, et al.,

Plaintiffs,

v.

NORTH CAROLINA STATE BOARD
OF ELECTIONS, et al.,

Defendants,

And

PHILIP E. BERGER, et al.,

Intervenor-Defendants.

**STATE BOARD
DEFENDANTS'
MOTION TO DISMISS**

NOW COME Defendants the North Carolina State Board of Elections, Karen Brinson Bell, Alan Hirsch, Jeff Carmon, III, Stacy Eggers, IV, Kevin N. Lewis, and Siobhan O'Duffy Millen (collectively, the "State Board Defendants"), through undersigned counsel, to move for dismissal of Plaintiffs' Complaint [D.E. 1] pursuant to Fed. R. Civ. P. 12(b)(1) and (6). In support of this motion, State Board Defendants file a Memorandum of Law herewith.

Respectfully submitted this the 30th day of January, 2024.

NORTH CAROLINA
DEPARTMENT OF JUSTICE

/s/ Terence Steed
Terence Steed
Special Deputy Attorney General

N.C. State Bar No. 52809
tstead@ncdoj.gov

Mary Carla Babb
Special Deputy Attorney General
N.C. State Bar No. 25731
mcbabb@ncdoj.gov

Post Office Box 629
Raleigh, NC 27602
Phone: (919) 716-6900
Fax: (919) 716-6763

Counsel for State Board Defendants

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