



2. Legislative Intervenors admit that North Carolina law allows for same-day registration during the early voting period, and that S.B. 747 will strengthen voter and election security in North Carolina. In all other respects, denied.

3. Legislative Intervenors admit that the cited statistics speak for themselves. In all other respects, denied.

4. Legislative Intervenors lack knowledge or information sufficient to admit or deny the allegations of Paragraph 4 as there are no citations to verify the cited statistics. To the extent a further response is required, Paragraph 4 is denied.

5. Denied.

6. Denied.

7. Legislative Intervenors admit that S.B. 747 speaks for itself. In all other respects, denied.

8. Denied.

**JURISDICTION AND VENUE**

9. Legislative Intervenors admit that Plaintiffs' Complaint speaks for itself, but expressly deny that S.B. 747 violates any law or constitutional provision.

10. Legislative Intervenors admit that this Court has jurisdiction, but expressly deny that Plaintiffs are entitled to any relief.

11. Admitted.

12. Legislative Intervenors admit that this Court has the power to grant declaratory relief, but expressly denies that Plaintiffs are entitled to any relief whatsoever, including declaratory relief.

13. Denied.

## **“PARTIES**

### **A. Plaintiffs”**

14. Legislative Intervenors are without information sufficient to admit or deny the allegations of Paragraph 14. To the extent a further response is required, Paragraph 14 is denied.

15. Legislative Intervenors are without information sufficient to admit or deny the allegations of Paragraph 15. To the extent a further response is required, Paragraph 15 is denied.

16. Legislative Intervenors are without information sufficient to admit or deny the allegations of Paragraph 16. To the extent a further response is required, Paragraph 16 is denied.

17. Paragraph 17 contains a legal conclusion to which no response is required. To the extent a further response is required, Paragraph 17 is denied.

18. Legislative Intervenors admit that S.B. 747 speaks for itself. In all other respects, denied.

19. Paragraph 19 contains a legal conclusion to which no response is required. To the extent a further response is required, Paragraph 19 is denied.

20. Paragraph 20 contains a legal conclusion to which no response is required.

To the extent a further response is required, Paragraph 20 is denied.

21. Paragraph 21 contains a legal conclusion to which no response is required.

To the extent a further response is required, Paragraph 21 is denied.

**“B. Defendants”**

22. Admitted.

23. Admitted.

24. Admitted.

25. Admitted.

26. Admitted.

27. Admitted.

28. Legislative Intervenors admit that Karen Brinson Bell is the NCSBE’s Executive Director, is sued in her official capacity, and that the cited statute speaks for itself. In all other respects, denied.

**“STATEMENT OF FACTS**

**A. Youth Voter Registration and Participation is Steadily Increasing in North Carolina’s Elections”**

29. Legislative Intervenors admit that the cited statistics speak for themselves.

In all other respects, denied.

30. Legislative Intervenors lack information sufficient to admit or deny the allegations of Paragraph 30 because there are no citations for the statistics contained in Paragraph 30. To the extent a further response is required, Paragraph 30 is denied.

31. Legislative Intervenors admit that the cited statistics speak for themselves.

In all other respects, denied.

**“B. North Carolina’s Historical Attempts to Restrain the Youth Vote”**

32. Denied.

33. Legislative Intervenors admit that the cited bills and website speak for themselves. In all other respects, denied.

34. Legislative Intervenors admit that the cited case speaks for itself. In all other respects, denied.

35. Legislative Intervenors admit that S.B. 824 and the cited websites speak for themselves. In all other respects, denied.

36. Legislative Intervenors admit that S.B. 824 and the cited websites speak for themselves. In all other respects, denied.

37. Legislative Intervenors admit that the cited bills and website speak for themselves. In all other respects, denied.

38. Legislative Intervenors admit that the cited articles and case speak for themselves. In all other respects, denied.

39. Legislative Intervenors admit that the cited websites speak for themselves. In all other respects, denied.

40. Legislative Intervenors admit that the cited websites speak for themselves. In all other respects, denied.

41. Legislative Intervenors admit that the September 12, 2023, recording of the House Election and Campaign Finance Committee debate on a bill not challenged in this action speaks for itself. In all other respects, denied.

42. Legislative Intervenors admit that the voting record on the Veto Override for S.B. 747 speaks for itself. In all other respects, denied.

**“C. Registering to Vote in North Carolina Prior to SB 747**

**1. Laws Related to Voter Registration, Early Voting, and Same-Day Registration”**

43. Legislative Intervenors admit that the cited statutes and constitutional provisions speak for themselves. In all other respects, denied.

44. Legislative Intervenors admit that the cited statutes and constitutional provisions speak for themselves. In all other respects, denied.

**“(a) Voter Registration”**

45. Admitted.

46. Admitted.

47. Legislative Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

48. Legislative Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

**“(b) Same-Day Registration”**

49. Legislative Intervenors admit that the cited statutes and website speak for themselves. In all other respects, denied.

50. Legislative Intervenors admit that the cited statutes speak for themselves. In all other respects, denied.

51. Legislative Intervenors admit that the cited statutes and website speak for themselves. In all other respects, denied.

52. Legislative Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

“(c) Verification of Qualifications and Address of Applicant”

53. Legislative Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

54. Legislative Intervenors admit that the cited statutes speak for themselves. In all other respects, denied.

55. Legislative Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

56. Legislative Intervenors admit that the cited statutes speak for themselves. In all other respects, denied.

57. Legislative Intervenors admit that the cited statutes speak for themselves. In all other respects, denied.

“(d) Voting When the Verification Process is Incomplete”

58. Legislative Intervenors admit that the cited statute and S.B. 747 speak for themselves. In all other respects, denied.

59. Legislative Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

60. Legislative Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

61. Legislative Intervenors admit that the cited statutes and S.B. 747 speak for themselves. In all other respects, denied.

**“2. Qualified Young Voters, Including Students, Experience High Rates of Failed Mail Verification, Which Threatens Their Ability to Vote”**

62. Legislative Intervenors are without information or knowledge sufficient to admit or deny the allegations of Paragraph 62 because there is no citation for the cited statistics. To the extent a further response is required, Paragraph 62 is denied.

63. Legislative Intervenors admit that the cited article speaks for itself. In all other respects, denied.

64. Legislative Intervenors admit that the cited article speaks for itself. In all other respects, denied.

65. Denied.

66. Denied.

67. Denied.

68. Denied.

69. Legislative Intervenors admit that the cited website speaks for itself. In all other respects, denied.



70. Denied.

71. Legislative Intervenors admit that the cited case and website speak for themselves. In all other respects, denied.

**“D. SB 747 Places Onerous and Unnecessary Restrictions on Same-Day Registration Process and Other Election Law Provisions**

**1. SB 747’s Provisions”**

72. Legislative Intervenors admit that S.B. 747 speaks for itself and was enacted into law on October 10, 2023. In all other respects, denied.

73. Legislative Intervenors admit that S.B. 747 speaks for itself. In all other respects, denied.

74. Legislative Intervenors admit that S.B. 747 speaks for itself. In all other respects, denied.

75. Legislative Intervenors admit that S.B. 747 speaks for itself, and that the cited portion of S.B. 747 was preliminarily enjoined and that alternative procedures have been put in place by the NCSBE’s Numbered Memo 2023-05. In all other respects, denied.

76. Legislative Intervenors admit that S.B. 747, the cited statutes, and website speak for themselves. In all other respects, denied.

77. Legislative Intervenors admit that S.B. 747 speaks for itself. In all other respects, denied.

78. Legislative Intervenors admit that S.B. 747 speaks for itself. In all other respects, denied.

79. Legislative Intervenors admit that the cited statutes and websites speak for themselves. In all other respects, denied.

80. Legislative Intervenors admit that the cited statute and S.B. 747 speak for themselves. In all other respects, denied.

81. Denied.

**“2. The Legislative Process and Public Statements by Members of the General Assembly”**

82. Legislative Intervenors admit that the legislative history of S.B. 747 speaks for itself. In all other respects, denied.

83. Legislative Intervenors admit that the legislative history of S.B. 747 speaks for itself. In all other respects, denied.

84. Legislative Intervenors admit that the legislative history of S.B. 747 and debates speak for themselves. In all other respects, denied.

85. Legislative Intervenors admit that the legislative history of S.B. 747 and debates speak for themselves. In all other respects, denied.

86. Legislative Intervenors admit that the legislative history of S.B. 747 and debates speak for themselves. In all other respects, denied.

87. Legislative Intervenors admit that the legislative history of S.B. 747 and debates speak for themselves. In all other respects, denied.

88. Legislative Intervenors admit that the legislative history of S.B. 747 speaks for itself. In all other respects, denied.

89. Admitted.

90. Legislative Intervenors admit that the Governor vetoed S.B. 747 and that his veto message speaks for itself. In all other respects, denied.

91. Legislative Intervenors admit that the General Assembly overrode the Governor's veto on October 10, 2023. In all other respects denied.

**“E. SB 747 Makes it Much More Difficult for Young North Carolinians to Vote and Have Their Vote Counted, Yet Fails to Increase Election Integrity or Improve Election Administration”**

92. Legislative Intervenors admit that with the enactment of S.B. 747 North Carolina's election law is further protecting the fundamental right to vote. In all other respects, denied.

93. Denied.

**CLAIMS**  
**COUNT ONE**  
**(All Defendants)**

**(Denial of Plaintiffs' Right to Procedural Due Process in violation of the Fourteenth Amendment to the Constitution of the United States and 42 U.S.C. §1983)”**

94. Legislative Intervenors incorporate their responses to paragraphs 1-93 as if set forth fully herein.

95. Legislative Intervenors admit that the cited cases and constitutional provisions speak for themselves. Legislative Intervenors expressly deny that S.B. 747 violates any law or constitutional provision. In all other respects, denied.

96. Paragraph 96 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited case speaks for itself. In all other respects, denied.

97. Paragraph 97 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited case speaks for itself. In all other respects, denied.

98. Paragraph 98 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

99. Paragraph 99 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

100. Paragraph 100 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited case speaks for itself. In all other respects, denied.

101. Legislative Intervenors admit that S.B. 747 speaks for itself, and that the cited portion of S.B. 747 was preliminarily enjoined and that alternative procedures have been put in place by the NCSBE's Numbered Memo 2023-05. In all other respects, denied.

102. Denied.

103. Denied.

104. Denied.

105. Paragraph 105 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the General

Assembly acted in good faith at all times, and the S.B. 747 does not violate any law or constitutional provision. In all other respects, denied.

106. Denied.

**“COUNT TWO  
(All Defendants)  
(Undue Burden on the Fundamental Right to Vote in Violation of the First and  
Fourteenth Amendments to the Constitution of the United States and 42 U.S.C.  
§1983)”**

107. Legislative Intervenors incorporate their responses to paragraphs 1-106 as if set forth fully herein.

108. Paragraph 108 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

109. Paragraph 109 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

110. Denied.

111. Denied.

112. Legislative Intervenors admit that the S.B. 747 speaks for itself. In all other respects, denied.

113. Denied.

**“COUNT THREE  
(All Defendants)  
(Intentional Discrimination in Violation of the Twenty Sixth Amendment to the  
Constitution of the United States and 42 U.S.C. §1983)”**

114. Legislative Intervenors incorporate their responses to paragraphs 1-113 as if set forth fully herein.

115. Paragraph 115 contains a legal conclusion to which no response is required. To the extent a further response is required, Legislative Intervenors admit that the cited case and constitutional amendment speak for themselves. In all other respects, denied.

116. Denied.

117. Denied.

118. Denied.

**“PRAYER FOR RELIEF”**

Response to Unnumbered “PRAYER FOR RELIEF”

Legislative Intervenors deny that Plaintiffs are entitled to any relief whatsoever.

**SECOND DEFENSE**

Any allegations in paragraphs 1-118 of the Complaint not specifically admitted are denied.

**THIRD DEFENSE**

Plaintiffs’ Complaint, in whole or in part, fails to state a claim upon which relief can be granted and thus should be dismissed.

**FOURTH DEFENSE**

Plaintiffs lack standing to assert the claims in their Complaint.

**FIFTH DEFENSE**

Plaintiffs' claims are not ripe.

**SIXTH DEFENSE**

To the extent state court litigation is filed over the allegations in the Complaint, or the Complaint raises issues under the state constitution not yet resolved by the North Carolina Supreme Court, this Court should abstain from considering those claims.

WHEREFORE, Legislative Intervenors move the court:

1. That Plaintiffs' Complaint be dismissed with prejudice and that judgment be entered for the Defendants on all claims;
2. That Legislative Intervenors be awarded their attorneys' fees and costs; and
3. That Legislative Intervenors be awarded such other and further relief as the Court may deem just and proper.

Respectfully submitted, this the 16th day of April, 2024.

**NELSON MULLINS RILEY &  
SCARBOROUGH LLP**

By: /s/ Phillip J. Strach

Phillip J. Strach  
N.C. State Bar No. 29456  
Alyssa M. Riggins  
N.C. State Bar No. 52366  
Cassie A. Holt  
N.C. State Bar No. 56505  
Alexandra M. Bradley  
N.C. State Bar No. 54872  
301 Hillsborough Street, Suite 1400

Raleigh, North Carolina 27603  
Ph: (919) 329-3800  
phil.strach@nelsonmullins.com  
alyssa.riggins@nelsonmullins.com  
cassie.holt@nelsonmullins.com  
alex.bradley@nelsonmullins.com

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**CERTIFICATE OF SERVICE**

I, Phillip J. Strach, hereby certify that I have this day electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will provide electronic notification to counsel of record.

This the 16th day of April, 2024.

**NELSON MULLINS RILEY &  
SCARBOROUGH LLP**

/s/ Phillip J. Strach  
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Phillip J. Strach  
N.C. State Bar No. 29456

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