

No. 25-1021

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

TELIA KIVETT, ET AL.,

Plaintiff-Appellees,

v.

NORTH CAROLINA STATE BOARD OF ELECTIONS, ET AL.,

Defendant-Appellants,

and

DEMOCRATIC NATIONAL COMMITTEE,

Intervenor-Defendant.

On Appeal from the United States District Court
for the Eastern District of North Carolina

**NOTICE OF JOINDER OF DEFENDANT-APPELLANTS' BRIEF BY
INTERVENOR-DEFENDANT DEMOCRATIC NATIONAL COMMITTEE**

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February 18, 2025

This matter was remanded to North Carolina Superior Court on January 6, 2025. On remand, the Democratic National Committee (“DNC”) was granted leave to intervene. The DNC is an Intervenor-Defendant in the action pending in North Carolina’s courts. For consistency and to preserve its interests in this litigation, the DNC has likewise moved for intervention in this matter in the Eastern District of North Carolina without opposition and entered its appearance in this case contemporaneous with this submission.

Pursuant to Local Rule 12(e), the DNC joins in full the Opening Brief filed by Defendant-Appellants.¹

The undersigned certifies pursuant to Federal Rule of Appellate Procedure 26.1 and Local Rule 26.1 that the DNC is not a publicly held corporation, a publicly held entity, or a trade association, and that no publicly held corporation or other publicly held entity has a direct financial interest in the outcome of this litigation.

¹ Given the DNC’s intervention in this matter in state court and its pending motion to intervene in the district court, and in the interest of not burdening this Court with a duplicative motion to intervene in this Court that would be mooted by a grant of the pending unopposed motion to intervene in the district court, it is the DNC’s understanding of Local Rule 12(e) that the DNC need not also move to intervene in this Court in order to join Defendant-Appellants’ Opening Brief. If that understanding is incorrect, the DNC stands ready to promptly move to intervene in this Court.

February 18, 2025

Respectfully submitted,

/s/ James W. Whalen

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CERTIFICATE OF COMPLIANCE

This brief complies with the type-volume limitation of Federal Rules of Appellate Procedure 29(a)(5) and 32(a)(7)(B)(i) in that, according to the word-count feature of the word-processing system used to prepare this document (Microsoft Word for Microsoft 365), the brief contains 240 words, excluding the portions exempted by Rule 32(f).

/s/ James W. Whalen

James W. Whalen

CERTIFICATE OF SERVICE

On February 18, 2025, I electronically filed the foregoing using the Court's appellate CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

/s/ James W. Whalen

James W. Whalen