

SUPREME COURT OF NORTH CAROLINA

REBECCA HARPER, et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House
Standing Committee on Redistricting, et al.,

Defendants.

From Wake County

NORTH CAROLINA LEAGUE OF
CONSERVATION VOTERS, INC., et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House
Standing Committee on Redistricting, et al.,

Defendants.

**MOTION FOR LEAVE TO FILE AMICI CURIAE BRIEF OF BIPARTISAN FORMER
GOVERNORS MICHAEL F. EASLEY, ARNOLD SCHWARZENEGGER, CHRISTINE
TODD WHITMAN AND WILLIAM WELD**

The Honorable Michael F. Easley, the Honorable Arnold Schwarzenegger, the Honorable
Christine Todd Whitman and the Honorable William Weld (collectively, the “Former Governors”)
respectfully move for leave to file the attached *amici curiae* brief in support of the Plaintiffs in this

lawsuit. This motion provides the Former Governors' interest in this case and discusses why the Court may benefit from hearing their views.

The Former Governors seek permission to participate as *amici curiae* to share their perspective on the issues before the Court. The Former Governors come from both major political parties in North Carolina, as well as other states. As such, the Former Governors have a substantial, legitimate interest in which North Carolina conducts its redistricting plan, and its effects on governance and democracy in the state.

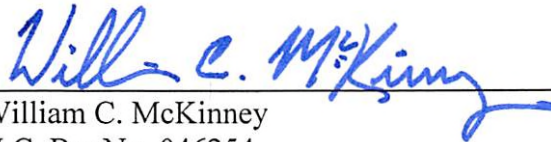
The Former Governors will demonstrate the importance of safeguarding democracy and ensuring a free, fair and secure election process. If the Former Governors are granted leave to participate as *amici curiae*, the Former Governors will demonstrate the far-reaching effects of partisan gerrymandering, which results in a hindrance to democracy, and is contrary to the North Carolina Constitution. Specifically, the *amici curiae* brief highlights the practice of partisan gerrymandering in violation of the North Carolina people's fundamental rights.

This bipartisan group of Former Governors believes that affording the citizens of North Carolina free, fair and secure elections is one of the pillars of our democracy. The Former Governors have seen the effect of partisan gerrymanders on the governance process in a unique position both as the chief executives of their respective states and also as individuals elected by the entire state's population. The Former Governors are compelled to work with their legislative co-equals: to come to terms on legislation, budgets, appointments and other matters of state. They know how legislative districts that reward partisan polarization make it more challenging to find common ground. The Former Governors are filing this brief to urge the Court to halt the damage that partisan gerrymandering inflicts on our democracy.

Submission of the attached *amici curiae* brief would assist the Court. The matter before the Court is a matter of statewide interest, and one in which multiple viewpoints would benefit the Court. For the foregoing reasons, the Former Governors respectfully request that the Court grant it leave to file the *amici curiae* brief in support of Plaintiffs.

Respectfully submitted, this 21st day of January, 2022

HAYNSWORTH SINKLER BOYD, P.A.



William C. McKinney
N.C. Bar No. 046254
Email: wmckinney@hsblawfirm.com
223 South West Street, Suite 925
Raleigh, NC 27603
Telephone: 919.260.4174
Facsimile: 864.240.3300

*I certify that the attorneys listed below have
Authorized me to list their names on this brief
As if they had personally signed it.*

Jonathan D. Klett (*pro hac vice forthcoming*)
S.C. Bar No. 103208
Email: jklett@hsblawfirm.com
Sara A. Sykes (*pro hac vice forthcoming*)
S.C. Bar No. 105220
Email: ssykes@hsblawfirm.com
ONE North Main, 2nd Floor (29601)
PO Box 2048
Greenville, S.C. 29602

STATES UNITED DEMOCRACY CENTER

Christine P. Sun (*pro hac vice forthcoming*)
Cal. Bar No. 218701
3749 Buchanan St., No. 475165
San Francisco, CA 94147-3103
Telephone: (615) 574-9108
christine@statesuniteddemocracy.org

Ranjana Natarajan (*pro hac vice forthcoming*)
Tex. Bar No. 24071013
1801 E 51st St., Suite 365, No. 334
Austin, TX 78723
Telephone: (323) 422-8578
ranjana@statesuniteddemocracy.org

Counsel for Amici Curiae

January 21, 2022
Raleigh, North Carolina

No. 413P21

TENTH DISTRICT

SUPREME COURT OF NORTH CAROLINA

REBECCA HARPER, et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House
Standing Committee on Redistricting, et al.,

Defendants.

From Wake County

NORTH CAROLINA LEAGUE OF
CONSERVATION VOTERS, INC., et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House
Standing Committee on Redistricting, et al.,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion for Leave to File Amici Curiae Brief and Amici Curiae Brief of Bipartisan Former Governors Michael F. Easley, Arnold Schwarzenegger, Christine Todd Whitman, and William Weld as Amici Curiae Supporting Plaintiffs* was served upon each of the parties to this action by electronic mail at the e-mail addresses indicated below:

Stephen D. Feldman
Adam K. Doerr
Erik R. Zimmerman
Robinson, Bradshaw & Hinson, P.A.
434 Fayetteville Street Mall, Suite 1600
Raleigh, NC 27601
sfeldman@robinsonbradshaw.com
adoerr@robinsonbradshaw.com
ezimmerman@robinsonbradshaw.com

Sam Hirsch
Jessica Ring Amunson
Kali Bracey
Zachary C. Schauf
Karthik P. Reddy
Urja Mittal
Jenner & Block, LLP
1099 New York Avenue NW, Suite 900
Washington, DC 20001
shirsch@jenner.com
jamunson@jenner.com
kbracey@jenner.com
zschauf@jenner.com
kreddy@jenner.com
umittal@jenner.com

Terence Steed
Amar Majmundar
Stephanie A. Brennan
N.C. Department of Justice
Post Office Box 629
Raleigh, NC 27602
tsteed@ncdoj.org
amajmundar@ncdoj.org
sbrennan@ncdoj.org

Lalitha D. Madduri
Jacob D. Shelly
Graham W. White
Elias Law Group, LLP
10 G Street NE, Suite 600
Washington, DC 20002
lmadduri@elias.law
jshelly@elias.law
gwhite@elias.law

Phillip J. Strach
Thomas A. Farr
Alyssa M. Riggins
John E. Branch, III
Nelson Mullins Riley & Scarborough, LLP
4140 Parklake Avenue, Suite 200
Raleigh, NC 27612
Phillip.strach@nelsonmullins.com
Tom.Farr@nelsonmullins.com
Alyssa.riggins@nelsonmullins.com
John.branch@nelsonmullins.com

Mark E. Braden
Katherine McKnight
Richard Raile
Baker Hostetler, LLP
1050 Connecticut Avenue NW, Suite 1100
Washington, DC 20036
mbraden@bakerlaw.com
kmcknight@bakerlaw.com
rraile@bakerlaw.com

Narendra K. Ghosh
Burton Craige
Paul E. Smith
Patterson Harkavy, LLP
100 Europa Dr., Suite 420
Chapel Hill, NC 27517
nghosh@pathlaw.com
bcraige@pathlaw.com
psmith@pathlaw.com

Elisabeth S. Theodore
R. Stanton Jones
Samuel F. Callahan
Arnold and Porter Kaye Scholer, LLP
601 Massachusetts Avenue NW
Washington, DC 20001
Elisabeth.theodore@arnoldporter.com
stanton.jones@arnoldporter.com
sam.callahan@arnoldporter.com

Abha Khanna
Elias Law Group, LLC
1700 Seventh Avenue, Suite 2100
Seattle, Washington 98101
Akhanna@elias.law

Allison J. Riggs
Hilary H. Klein
Mitchell Brown
Katelin Kaiser
Jeffrey Loperfido
Southern Coalition for Social Justice
1415 W. Highway 54, Suite 101
Durham, NC 27707
allison@southerncoalition.org
hilaryhklein@scsj.org
mitchellbrown@scsj.org
katelin@scsj.org
jeffloperfido@scsj.org

This the 21st day of January, 2022.

HAYNSWORTH SINKLER BOYD, P.A.



William C. McKinney
N.C. Bar No. 046254
wmckinney@hsblawfirm.com
223 South West Street, Suite 925
Raleigh, NC 27603
Telephone: 919.260.4174
Facsimile: 864.240.3300