

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Civil Action No. 5:18-CV-00589-FL

COMMON CAUSE, et al.,

Plaintiffs,

v.

REPRESENTATIVE DAVID R. LEWIS,
in his official capacity as Senior Chairman of
the House Select Committee on Redistricting,
et al.,

Defendants.

**PLAINTIFFS' EMERGENCY
MOTION FOR REMAND**

28 U.S.C. § 1447(c)

Plaintiffs Common Cause; the North Carolina Democratic Party; and 38 individual North Carolina voters respectfully move, pursuant to 28 U.S.C. § 1447(c), for remand of this case to the General Court of Justice, Superior Court Division, Wake County, North Carolina.

In support hereof, Plaintiffs state that this Court lacks jurisdiction over this matter raising exclusively state constitutional challenges to a state law, and that there is no basis for removal under 28 U.S.C. § 1443(2) or 28 U.S.C. § 1441(a). The reasons for remand are set out more fully in the supporting memorandum filed contemporaneously herewith.

Thus, Plaintiffs request that the Court:

1. Grant Plaintiffs' Emergency Motion for Remand and remand this case to the General Court of Justice, Superior Court Division, Wake County, North Carolina;
2. Award Plaintiffs the costs of this action and attorneys' fees as allowed by 28 U.S.C. § 1447(c) and any other applicable law; and
3. Grant Plaintiffs such other and further relief as the Court deems just and proper.

Respectfully submitted this 17th day of December, 2018.

/s/ Edwin M. Speas, Jr.

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**Pro Hac Vice motions forthcoming.*

CERTIFICATE OF SERVICE

I hereby certify that on this date, December 17, 2018, I caused the foregoing document to be filed and served on all counsel of record by operation of the CM/ECF system for the United States District Court for the Eastern District of North Carolina. I further certify that simultaneously with this filing via CM/ECF, I caused the foregoing document to be served by electronic mail on all counsel of record for all Defendants in the Superior Court case.

DATED: December 17, 2018

/s/ Edwin M. Speas, Jr.
Edwin M. Speas, Jr.