

FILED: January 24, 2019

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 19-1091 (L)  
(5:18-cv-00589-FL)

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COMMON CAUSE; NORTH CAROLINA DEMOCRATIC PARTY; PAULA ANN CHAPMAN; HOWARD DUBOSE; GEORGE DAVID GAUCK; JAMES MACKIN NESBIT; DWIGHT JORDAN; JOSEPH THOMAS GATES; MARK S. PETERS; PAMELA MORTON; VIRGINIA WALTERS BRIEN; JOHN MARK TURNER; LEON CHARLES SCHALLER; REBECCA HARPER; LESLEY BROOK WISCHMANN; DAVID DWIGHT BROWN; AMY CLARE OSEROFF; KRISTIN PARKER JACKSON; JOHN BALLA; REBECCA JOHNSON; AARON WOLFF; MARY ANN PEDEN-COVIELLO; KAREN SUE HOLBROOK; KATHLEEN BARNES; ANN MCCRACKEN; JACKSON THOMAS DUNN, JR.; ALYCE MACHAK; WILLIAM SERVICE; DONALD RUMPH; STEPHEN DOUGLAS MCGRIGOR; NANCY BRADLEY; VINOD THOMAS; DERRICK MILLER; ELECTA E. PERSON; DEBORAH ANDERSON SMITH; ROSALYN SLOAN; JULIE ANN FREY; LILY NICOLE QUICK; JOSHUA BROWN; CARLTON E. CAMPBELL, SR.

Plaintiffs - Appellees

v.

REPRESENTATIVE DAVID R. LEWIS, in his official capacity as Senior Chairman of the House Select Committee on Redistricting; SENATOR RALPH E. HISE, JR., in his official capacity as Chairman of the Senate Committee on Redistricting; SPEAKER OF THE HOUSE TIMOTHY K. MOORE; PRESIDENT PRO TEMPORE OF THE NORTH CAROLINA SENATE PHILIP E. BERGER; THE STATE OF NORTH CAROLINA

Defendants - Appellants

and

ANDY PENRY, Chairman of the North Carolina State Board of Elections and Ethics Enforcement; JOSHUA MALCOLM, Vice-Chair of the North Carolina State Board of Elections and Ethics Enforcement; KEN RAYMOND, Secretary of the North Carolina Board of Elections and Ethics Enforcement; STELLA ANDERSON, Member of the North Carolina State Board of Elections and Ethics Enforcement; THE NORTH CAROLINA STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT; DAMON CIRCOSTA, Member of the North Carolina State Board of Elections and Ethics Enforcement; STACY "FOUR" EGGERS, IV, Member of the North Carolina State Board of Elections and Ethics Enforcement; JAY HEMPHILL, Member of the North Carolina State Board of Elections and Ethics Enforcement; VALERIE JOHNSON, Member of the North Carolina State Board of Elections and Ethics Enforcement; JOHN LEWIS, Member of the North Carolina State Board of Elections and Ethics Enforcement; ROBERT CORDLE, Member of the North Carolina State Board of Elections and Ethics Enforcement

Defendants

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No. 19-1094  
(5:18-cv-00589-FL)

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COMMON CAUSE; NORTH CAROLINA DEMOCRATIC PARTY; PAULA ANN CHAPMAN; HOWARD DUBOSE; GEORGE DAVID GAUCK; JAMES MACKIN NESBIT; DWIGHT JORDAN; JOSEPH THOMAS GATES; MARK S. PETERS; PAMELA MORTON; VIRGINIA WALTERS BRIEN; JOHN MARK TURNER; LEON CHARLES SCHALLER; REBECCA HARPER; LESLEY BROOK WISCHMANN; DAVID DWIGHT BROWN; AMY CLARE OSEROFF; KRISTIN PARKER JACKSON; JOHN BALLA; REBECCA JOHNSON; AARON WOLFF; MARY ANN PEDEN-COVIELLO; KAREN SUE HOLBROOK; KATHLEEN BARNES; ANN MCCRACKEN; JACKSON THOMAS DUNN, JR.; ALYCE MACHAK; WILLIAM SERVICE; DONALD RUMPH; NANCY BRADLEY; VINOD THOMAS; DERRICK MILLER; ELECTA E. PERSON; DEBORAH ANDERSON SMITH; ROSALYN SLOAN; JULIE ANN FREY; LILY NICOLE QUICK; JOSHUA BROWN; CARLTON E. CAMPBELL, SR.; STEPHEN DOUGLAS MCGRIGOR

Plaintiffs - Appellants

v.

REPRESENTATIVE DAVID R. LEWIS, in his official capacity as Senior Chairman of the House Select Committee on Redistricting; SENATOR RALPH E. HISE, JR., in his official capacity as Chairman of the Senate Committee on Redistricting; SPEAKER OF THE HOUSE TIMOTHY K. MOORE; PRESIDENT PRO TEMPORE OF THE NORTH CAROLINA SENATE PHILIP E. BERGER; THE STATE OF NORTH CAROLINA

Defendants - Appellees

and

ANDY PENRY, Chairman of the North Carolina State Board of Elections and Ethics Enforcement; JOSHUA MALCOLM, Vice-Chair of the North Carolina State Board of Elections and Ethics Enforcement; KEN RAYMOND, Secretary of the North Carolina Board of Elections and Ethics Enforcement; STELLA ANDERSON, Member of the North Carolina State Board of Elections and Ethics Enforcement; THE NORTH CAROLINA STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT; DAMON CIRCOSTA, Member of the North Carolina State Board of Elections and Ethics Enforcement; STACY "FOUR" EGGERS, IV, Member of the North Carolina State Board of Elections and Ethics Enforcement; JAY HEMPHILL, Member of the North Carolina State Board of Elections and Ethics Enforcement; VALERIE JOHNSON, Member of the North Carolina State Board of Elections and Ethics Enforcement; JOHN LEWIS, Member of the North Carolina State Board of Elections and Ethics Enforcement; ROBERT CORDLE, Member of the North Carolina State Board of Elections and Ethics Enforcement

Defendants

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O R D E R

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The court consolidates Secondary Case No. 19-1094 with Lead Case No. 19-1091(L) as cross appeals. The appellants in Case No. 19-1091(L) shall be

considered the appellants for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case. Docketing statements must be filed by appellants in each appeal.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk