

FILED: February 9, 2018

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 18-1150 (L)  
(1:17-cv-01113-CCE-JEP)

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NORTH CAROLINA DEMOCRATIC PARTY; CUMBERLAND COUNTY  
DEMOCRATIC PARTY; DURHAM COUNTY DEMOCRATIC PARTY;  
FORSYTH COUNTY DEMOCRATIC PARTY; GUILFORD COUNTY  
DEMOCRATIC PARTY; MECKLENBURG COUNTY DEMOCRATIC  
PARTY; ORANGE COUNTY DEMOCRATIC PARTY; WAKE COUNTY  
DEMOCRATIC PARTY

Plaintiffs - Appellees

v.

PHILLIP E. BERGER, in his official capacity as President Pro Tempore of the  
North Carolina Senate; TIMOTHY K. MOORE, in his official capacity as  
Speaker of the North Carolina House of Representatives

Defendants - Appellants

and

THE STATE OF NORTH CAROLINA; THE NORTH CAROLINA  
BIPARTISAN STATE BOARD OF ELECTIONS AND ETHICS  
ENFORCEMENT; KIMBERLY STRACH, in her official capacity as Executive  
Director of the North Carolina Bipartisan State Board of Elections and Ethics  
Enforcement

Defendants

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No. 18-1151  
(1:17-cv-01113-CCE-JEP)

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NORTH CAROLINA DEMOCRATIC PARTY; CUMBERLAND COUNTY DEMOCRATIC PARTY; DURHAM COUNTY DEMOCRATIC PARTY; FORSYTH COUNTY DEMOCRATIC PARTY; GUILFORD COUNTY DEMOCRATIC PARTY; MECKLENBURG COUNTY DEMOCRATIC PARTY; ORANGE COUNTY DEMOCRATIC PARTY; WAKE COUNTY DEMOCRATIC PARTY

Plaintiffs - Appellees

v.

THE STATE OF NORTH CAROLINA; THE NORTH CAROLINA BIPARTISAN STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT; KIMBERLY STRACH, in her official capacity as Executive Director of the North Carolina Bipartisan State Board of Elections and Ethics Enforcement

Defendants - Appellants

and

PHILLIP E. BERGER, in his official capacity as President Pro Tempore of the North Carolina Senate; TIMOTHY K. MOORE, in his official capacity as Speaker of the North Carolina House of Representatives

Defendants

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O R D E R

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Upon considerations of the submissions relative to the emergency motion for stay of preliminary injunction, the court grants the motion and stays the preliminary injunction issued by the district court on January 31, 2018.

Judge Thacker and Judge Niemeyer voted to grant the motion. Judge Motz voted to deny the motion.

For the Court

/s/ Patricia S. Connor, Clerk