

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

SANDRA LITTLE COVINGTON, *et al.*,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, *et al.*,

Defendants.

No. 1:15-cv-399

**PLAINTIFFS' POSITION ON THE SPECIAL MASTER'S RECOMMENDED  
PLAN**

The Special Master's Recommended Plan is an appropriate and legal remedy to the extensive constitutional violations this Court found in the 2011 state legislative redistricting plans and the continuing constitutional defects in the 2017 Enacted Plans. This Court can and should order it into effect for the 2018 elections. The Special Master's Recommended Plan follows this Court's detailed instructions and affords appropriate deference to state policy. Plaintiffs have no objections to the Recommended Plan.<sup>1</sup>

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<sup>1</sup> Plaintiffs reiterate their position, *see* Plaintiffs' Objections to the Defendants' Remedial Districts, at 42-43, ECF No. 189 (Sept. 15, 2017), that both the 2017 House and Senate plans enacted by the General Assembly are unconstitutional partisan gerrymanders. However, because this Court does not have the record before it to decide those objections, Plaintiffs reserve their right to assert those claims in separate litigation. Accordingly, because the Special Master's task was limited to only correcting the few racial gerrymandering and state constitutional defects in the 2017 Enacted Plan, he could not have corrected the gross partisan gerrymandering. Plaintiffs continue to respectfully request that this Court to make clear that whatever disposition it makes with respect to the ultimate remedial plan does not constitute, or imply, that these maps are not partisan gerrymanders or foreclose any future challenges to the 2017 plans on those grounds.

Respectfully submitted this 8th day of December, 2017.

**POYNER SPRUILL LLP**

**SOUTHERN COALITION FOR  
SOCIAL JUSTICE**

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

Edwin M. Speas, Jr.  
N.C. State Bar No. 4112  
espeas@poynerspruill.com  
Caroline P. Mackie  
N.C. State Bar No. 41512  
cmackie@poynerspruill.com  
P.O. Box 1801 (27602-1801)  
301 Fayetteville St., Suite 1900  
Raleigh, NC 27601  
Telephone: 919-783-6400  
Facsimile: 919-783-1075

*Counsel for Plaintiffs*

By: /s/ Allison J. Riggs

Allison J. Riggs  
N.C. State Bar No. 40028  
Allison@southerncoalition.org  
Jaclyn A. Maffetore  
Jaclyn@southerncoalition.org  
1415 Highway 54, Suite 101  
Durham, NC 27707  
Telephone: 919-323-3909  
Facsimile: 919-323-3942

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will provide electronic notification of the same to the following:

Alexander M. Peters  
James Bernier  
Special Deputy Attorney  
General  
Office of the Attorney  
General  
P.O. Box 629  
Raleigh, NC 27602  
apeters@ncdoj.gov

*Counsel for Defendants*

Thomas A. Farr  
Phillip J. Strach  
Michael D. McKnight  
Ogletree, Deakins, Nash, Smoak &  
Stewart, P.C.  
4208 Six Forks Road, Suite 1100  
Raleigh, NC 27602  
thomas.farr@ogletreedeakins.com  
phillip.strach@ogletreedeakins.com  
michael.mcknight@ogletreedeakins.com

*Counsel for Defendants*

This 8th day of December, 2017.

/s/ Allison J. Riggs  
Allison J. Riggs

*Counsel for Plaintiffs*