

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Case No. 5:20-cv-411-BO

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| HELEN JO TALIAFERRO, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | JOINT MOTION FOR |
| |) | CONTINUED STAY PENDING |
| NORTH CAROLINA STATE BOARD OF |) | RESOLUTION OF ALL CLAIMS |
| ELECTIONS, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | |

NOW COME THE PARTIES, by and through their respective undersigned counsel, and respectfully move the Court pursuant to Fed. R. Civ. P. 7, and Local Civil Rules of Practice and Procedure 6.1 and 7.1 to continue to stay the proceedings in this matter until March 15, 2021 to allow the parties additional time to continue their efforts to resolve all claims regarding the accessibility of the Absentee Voting Program in all future elections.

In support of their Motion, the Parties state:

1. Plaintiffs filed this action on July 27, 2020, (D.E. #1), seeking a declaration that Defendants' Absentee Voting Program in North Carolina has violated and continues to violate Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131, *et seq.*, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, *et seq.*, permanent injunctive relief, reasonable attorneys' fees and costs, and such other relief as the Court deems just and proper.
2. On August 12, 2020, Plaintiffs additionally filed a Motion for Preliminary Injunction and supporting Memorandum of Law, (D.E. #26, 27), which was granted by the Court on September 24, 2020, (D.E. #41).
3. Defendants accepted service of the Complaint on July 31, 2020 (D.E. # 12); its

Answer or other response was due on August 21, 2020.

4. Defendants have requested, and been granted, three motions for an extension of time to answer or otherwise respond to Plaintiffs' Complaint. (D.E. #28, 29, 34, 39, 42, 43.)

5. Defendants' most recent deadline to file an Answer or otherwise respond to the Complaint was November 20, 2020, (D.E. # 43), which was stayed by the Court's Order granting Defendants' consent Motion for Stay Pending Resolution of All Claims, (D.E. #45).

6. As is detailed in the Parties' Joint Status Report filed simultaneously with this Motion, they have reached agreement as to a substantial number of terms but have not reached final agreement. The Parties believe a final, negotiated agreement resolving this matter can be reached by March 15, 2021 and are prepared to resume litigation if final resolution cannot be reached by that time.

7. Counsel for Plaintiffs and Defendants have consulted and mutually agree to this request to extend the stay currently in place pursuant to Local Rule 6.1.

8. The text of a Proposed Order is attached.

WHEREFORE, the Parties request to continue the stay in this action until March 15, 2021, at which time the Parties will either file their proposed Consent Decree for entry by the Court or the Defendants will file their Answer or other responsive pleading to Plaintiffs' Complaint.

Respectfully submitted this 20th day of January, 2021,

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