

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
23CV029308-910

JOSHUA H. STEIN, in his official  
capacity as GOVERNOR OF THE STATE  
OF NORTH CAROLINA,

Plaintiff,

v.

PHILIP E. BERGER, in his official  
capacity as PRESIDENT PRO TEMPORE  
OF THE NORTH CAROLINA SENATE;  
DESTIN C. HALL, in his official capacity  
as SPEAKER OF THE NORTH  
CAROLINA HOUSE OF  
REPRESENTATIVES; and THE STATE  
OF NORTH CAROLINA,

Defendants.

**LEGISLATIVE DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

NOW COME Defendants Philp E. Berger, in his official capacity as President *Pro Tempore* of the North Carolina Senate, and Destin C. Hall, in his official capacity as Speaker of the North Carolina House (together, “Legislative Defendants”), through undersigned counsel and pursuant to North Carolina Rule of Civil Procedure 56, and hereby move for summary judgment on all claims raised in Plaintiff’s Supplemental Complaint.<sup>1</sup> For the reasons stated in Legislative Defendants’ brief submitted to the Court and served on all parties contemporaneously herewith, there are no genuine issues of material fact as to any of Plaintiff’s claims, and Legislative Defendants are entitled to judgment as a matter of law.

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<sup>1</sup> All parties have consented to 24-hour an extension of the deadline to file dispositive motions previously set by consent order.

This the 25th day of February, 2025.

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*/s/ Matthew F. Tilley*

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*/s/ D. Martin Warf*

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capacity as President Pro Tempore of the  
North Carolina Senate, and Destin C. Hall, in  
his official capacity as Speaker of the North  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 25, 2025, I caused a copy of the foregoing document to be served upon all parties via email as follows:

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