Exhibit 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Statesville Division

WATAUGA COUNTY VOTING RIGHTS TASK FORCE; COMMON CAUSE; DR. RAY RUSSELL; LARRY TURNBOW; CHARLIE WALLIN; DR. JAMES FENWICK, JR.' LAURIE FLEMING; PATRICIA DALE; and KINNEY RAY BAUGHMAN, Plaintiffs, v. WATAUGA COUNTY BOARD OF ELECTIONS; ERIC ELLER, in his official capacity as a member of the Watauga County Board of Elections; TERRY CIRONE, in her official capacity as a member of the Watauga County Board of Elections; PAMELA HUSS CLINE, in her official capacity as a member of the Watauga County Board of Elections; ELAINE ROTHENBERG, in her official capacity as member of the Watauga County Board of Elections; and LETA COUNCILL, in her official capacity as member of the Watauga County Board of Elections, Defendants.	**Case No. 5:25-cv-00157-KDB-DCK**

INTERVENORS' PROPOSED ANSWER

Proposed Intervenors answer Plaintiffs' Complaint as follows:

FIRST DEFENSE

Proposed Intervenors answer the specific allegations of Plaintiffs' Complaint:

"INTRODUCTION"

Proposed Intervenors deny the unnumbered allegations contained in the "Introduction" paragraphs on pages 1-3 of the Complaint.

"PARTIES"

1. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to the Watauga County Voting Rights Task Force (the "Task Force") and its organizational structure. In all other respects, denied.

2. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to the Task Force's mission and volunteer efforts. In all other respects, denied.

3. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to the formation of the Task Force. mission and volunteer efforts. Proposed Intervenors admit that the cited cases speak for themselves but specifically deny that the Task Force challenged Senate Bill 749 in *Voto Latino v. Hirsch*, Case No. 1:23-cv-861. In all other respects, denied.

4. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to the organizational structure of Common Cause. In all other respects, denied.

5. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Common Cause's membership or the dedication of the work of the organization. In all other respects, denied.

6. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to the membership qualifications of Common Cause. In all other respects, denied.

7. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to the membership qualifications of Common Cause.

Proposed Intervenors further respond that Paragraph 7 contains legal conclusions regarding standing, to which no response is required. In all other respects, denied.

8. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Dr. Russell's residency, citizenship status, voter record, and desires for voting in the future. Proposed Intervenors specifically deny that his, or any other voter's vote is "devalued" under the challenged plan. In all other respects, denied.

9. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Mr. Turnbow's residency, citizenship status, voter record, and desires for voting in the future. Proposed Intervenors specifically deny that his, or any other voter's vote is "devalued" under the challenged plan. In all other respects, denied.

10. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Mr. Wallin's residency, citizenship status, voter record, and desires for voting in the future. Proposed Intervenors specifically deny that his, or any other voter's vote is "devalued" under the challenged plan. In all other respects, denied.

11. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Dr. Fenwick's residency, citizenship status, voter record, and desires for voting in the future. Proposed Intervenors specifically deny that his, or any other voter's vote is "devalued" under the challenged plan. In all other respects, denied.

12. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Ms. Fleming's residency, citizenship status, voter record, and desires for voting in the future. Proposed Intervenors specifically deny that his, or any other voter's vote is "devalued" under the challenged plan. In all other respects, denied.

13. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Ms. Dale's residency, citizenship status, voter record, and desires for voting in the future. Proposed Intervenors specifically deny that his, or any other voter's vote is "devalued" under the challenged plan. In all other respects, denied.

14. Proposed Intervenors lack knowledge or information sufficient to form a belief about the truth of the allegations pertaining to Mr. Baughman's residency, citizenship status, voter record, and desires for voting in the future. Proposed Intervenors specifically deny that his, or any other voter's vote is "devalued" under the challenged plan. In all other respects, denied.

15. Admitted.

16. Admitted.

17. Admitted.

18. Admitted.

19. Admitted.

20. Admitted.

"JURISDICTION AND VENUE"

21. Proposed Intervenors admit that Plaintiffs purport to bring this action under 42 U.S.C. § 1983, the First and Fourteenth Amendments to the United States Constitution, and the Declaratory Judgment Act, but expressly deny that Plaintiffs are entitled to any relief.

22. Denied.

23. Admitted.

24. Denied.

25. Denied.

26. Proposed Intervenors admit that there is no Eleventh Immunity defense in this matter but expressly deny that Plaintiffs are entitled to any relief, or that the challenged laws are unconstitutional. In all other respects, denied.

"FACTS

The Enactment of Senate Bill 759"

27. Denied.

28. Admitted.

29. Denied.

30. Proposed Intervenors admit that the Commission election scheme prior to Senate Bill 759 speaks for itself. In all other respects, denied.

31. Denied.

32. Admitted.

33. Admitted.

34. Denied

35. Proposed Intervenors admit that the district lines created by S.B. 759, speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the graphic in Paragraph 35 because there is no corresponding information regarding how the graphic was created. In all other respects, denied.

36. Proposed Intervenors admit that the district lines created by S.B. 759, and the populations therein speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the information in Paragraph 36 because there is no corresponding information regarding how the calculations were created or their source. In all other respects, denied.

37. Proposed Intervenors lack information or knowledge sufficient to form a belief about the truth of the information in Paragraph 37 because there is no corresponding information regarding how the calculations were created or their source. In all other respects, denied.

38. Proposed Intervenors lack information or knowledge sufficient to form a belief about the truth of the information in Paragraph 38 because there is no corresponding information regarding how the calculations were created or their source. However, if the deviation calculation is correct, Proposed Intervenors admit that this deviation is within the legally permissible range for population deviation. *See Stephenson v. Bartlett,* 357 N.C. 301 (2003). In all other respects, denied.

39. Denied.

40. Denied.

41. Denied.

"*Traditional Redistricting Criteria"*

42. Proposed Intervenors admit that the case law regarding traditional redistricting principles speaks for itself. In all other respects, denied.

43. Denied.

"*Compactness"*

44. Denied.

45. Denied.

46. Proposed Intervenors lack information or knowledge sufficient to form a belief about the truth of Paragraph 46 because no "alternative" plans are identified. In all other respects, denied.

47. Denied.

48. Denied.

"*Unnecessary Precinct Splits*"

49. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the graphic in Paragraph 49 because there is no corresponding information regarding how the graphic was created. In all other respects, denied.

50. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the graphic in Paragraph 50 because there is no corresponding information regarding how the graphic was created. In all other respects, denied.

51. Denied.

52. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the hypothetical presented in Paragraph 52. In all other respects, denied.

53. Denied.

54. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the hypothetical presented in Paragraph 54. In all other respects, denied.

55. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the hypothetical presented in Paragraph 55 In all other respects, denied.

56. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the hypothetical presented in Paragraph 56. In all other respects, denied.

57. Denied.

"Unnecessary Political Subdivision Splits"

58. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the graphic in Paragraph 58 because there is no corresponding information regarding how the graphic was created. In all other respects, denied.

59. Denied.

60. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the hypothetical presented in Paragraph 60. In all other respects, denied.

61. Denied.

"*Core Preservation"*

62. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the graphic in Paragraph 62 because there is no corresponding information regarding how the graphic was created. In all other respects, denied.

63. Proposed Intervenors admit that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the calculations in Paragraph 63 because there is no corresponding information

regarding how the calculations were made or the underlying data for the calculations. In all other respects, denied.

64. Proposed Intervenors admit that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the calculations in Paragraph 64 because there is no corresponding information regarding how the calculations were made or the underlying data for the calculations. In all other respects, denied.

65. Denied.

66. Proposed Intervenors admit that that the district lines created by S.B. 759 speak for themselves. Proposed Intervenors further lack information or knowledge sufficient to form a belief about the truth of the hypothetical presented in Paragraph 66. In all other respects, denied.

67. Denied.

"Illegitimate Reapportionment Factors"

68. Proposed Intervenors admit that the cited Hearing Audio speaks for itself. In all other respects, denied.

69. Proposed Intervenors admit that the cited Hearing Audio speaks for itself. In all other respects, denied.

70. Denied.

71. Denied.

72. Denied.

73. Denied.

74. Denied.

75. Denied.

76. Denied.

77. Denied.

78. Denied.

79. Denied.

80. Denied.

81. Denied.

"The County Commission's Response"

82. Proposed Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

83. Proposed Intervenors admit that the cited resolution and statute speak for themselves. In all other respects, denied.

84. Proposed Intervenors lack information or knowledge sufficient to form a belief about the truth of Paragraph 84 because they do not have knowledge of the Commission's intent or actions. In all other respects, denied.

85. Proposed Intervenors lack information or knowledge sufficient to form a belief about the truth of Paragraph 85 because they do not have knowledge of the Commission's intent or actions. In all other respects, denied.

86. Proposed Intervenors admit that the districts proposed in the referendum speak for themselves. In all other respects, denied.

87. Proposed Intervenors admit that the districts proposed in the referendum speak for themselves. In all other respects, denied.

88. Proposed Intervenors admit that the districts proposed in the referendum speak for themselves. In all other respects, denied.

89. Proposed Intervenors admit that the districts proposed in the referendum speak for themselves. In all other respects, denied.

90. Proposed Intervenors lack information or knowledge sufficient to form a belief about the truth as to whether the referendum was "set" to be on the "November 2024 General Election Ballot" as those terms are used but undefined by Plaintiffs. In all other respects, denied.

"The General Assembly Enacts Senate Bill 912"

91. Proposed Intervenors admit that Senate Bill 912 and the Watauga County Commission's resolution speak for themselves. In all other respects, denied.

92. Proposed Intervenors admit that Senate Bill 912 speaks for itself. In all other respects, denied.

93. Proposed Intervenors admit that statutory scheme prior to Senate Bill 912 speaks for itself. In all other respects, denied.

94. Proposed Intervenors admit that Senate Bill 912 speaks for itself. In all other respects, denied.

95. Proposed Intervenors admit that Senate Bill 912 speaks for itself. In all other respects, denied.

96. Proposed Intervenors admit that the cited hearing audio speaks for itself. In all other respects, denied.

97. Denied.

98. Proposed Intervenors admit that Senate Bill 912 speaks for itself. In all other respects, denied.

99. Proposed Intervenors admit that Senate Bill 912 speaks for itself. In all other respects, denied.

100. Proposed Intervenors admit that Senate Bill 912 speaks for itself. In all other respects, denied.

101. Denied.

102. Proposed Intervenors admit that the cited hearing audio speaks for itself. In all other respects, denied.

103. Denied.

104. Proposed Intervenors admit that the cited bill summary speaks for itself. In all other respects, denied.

105. Proposed Intervenors admit that the cited bill summary speaks for itself. In all other respects, denied.

106. Proposed Intervenors admit that Senate Bill 912, and any corresponding amendments, speak for themselves. In all other respects, denied.

"Watauga County Voters Overwhelmingly Reject the General Assembly's Districts in the 2024 General Election"

107. Proposed Intervenors admit that the election results regarding the Watauga County Board of Commissioners Structure Referendum speak for themselves. In all other respects, denied.

108. Proposed Intervenors admit that the election results regarding the Watauga County Board of Commissioners Structure Referendum speak for themselves. In all other respects, denied.

109. Proposed Intervenors admit that the election results regarding the Watauga County Board of Commissioners Structure Referendum speak for themselves. In all other respects, denied.

110. Proposed Intervenors admit that Senate Bill 912 speaks for itself. In all other respects, denied.

"FIRST CAUSE OF ACTION
Violation of the Equal Protection Clause
Malapportionment of County Commission and School Board Districts
42 U.S.C. §1983"

111. Proposed Intervenors incorporate their responses to paragraphs 1-110 as if set forth fully herein.

112. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

113. Proposed Intervenors admit that the Fourteenth Amendment to the United States Constitution speaks for itself. In all other respects, denied.

114. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

115. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

116. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

117. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

118. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

119. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

120. Denied.

121. Denied.

122. Denied.

123. Denied.

124. Denied.

125. Denied.

126. Denied.

127. Denied.

128. Denied.

129. Denied.

130. Denied.

131. Denied.

132. Denied.

"SECOND CAUSE OF ACTION
Violation of the Equal Protection Clause
Disfavored Treatment of Watauga County Voters
42 U.S.C. §1983"

133. Proposed Intervenors incorporate their responses to paragraphs 1-132 as if set forth fully herein.

134. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

135. Proposed Intervenors admit that the cited constitutional provision speaks for itself. In all other respects, denied.

136. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

137. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

138. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

139. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

140. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

141. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

142. Proposed Intervenors admit that the cited statues speak for themselves. In all other respects, denied.

143. Proposed Intervenors admit that the election results regarding the Watauga County Board of Commissioners Structure Referendum speak for themselves. In all other respects, denied.

144. Denied.

145. Proposed Intervenors admit that the cited statute speaks for itself. In all other respects, denied.

146. Denied.

147. Denied.

148. Denied.

"THIRD CAUSE OF ACTION
Violation of the First Amendment: Retaliation
Referendum Ban
42 U.S.C. §1983"

149. Proposed Intervenors incorporate their responses to paragraphs 1-148 as if set forth fully herein.

150. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

151. Proposed Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

152. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

153. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

154. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

155. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

156. Denied.

157. Denied.

158. Denied.

159. Denied.

"FOURTH CAUSE OF ACTION
Violation of the First Amendment: *Anderson-Burdick*
Referendum Ban
42 U.S.C. §1983"

160. Proposed Intervenors incorporate their responses to paragraphs 1-159 as if set forth fully herein.

161. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

162. Proposed Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

163. Proposed Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

164. Denied.

165. Denied.

166. Denied.

167. Denied.

"FIFTH CAUSE OF ACTION
Violation of First Amendment: Viewpoint Discrimination
Referendum Ban
42 U.S.C. §1983"

168. Proposed Intervenors incorporate their responses to paragraphs 1-167 as if set forth fully herein.

169. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

170. Proposed Intervenors admit that the cited cases speak for themselves. In all other respects, denied.

171. Proposed Intervenors admit that the cited case speaks for itself. In all other respects, denied.

172. Denied.

173. Denied.

174. Denied.

175. Denied.

176. Denied.

177. Denied.

"PRAYER FOR RELIEF"

Response to Unnumbered "PRAYER FOR RELIEF" and lettered sub-parts:

Proposed Intervenors deny that Plaintiffs are entitled to any relief whatsoever.

SECOND DEFENSE

Any allegations in paragraphs 1-177 of the Complaint not specifically admitted are denied.

THIRD DEFENSE

Plaintiffs' Complaint, in whole or in part, fails to state a claim upon which relief can be granted and thus should be dismissed.

FOURTH DEFENSE

Plaintiffs lack standing to assert the claims in their Complaint.

FIFTH DEFENSE

Plaintiffs' claims are not ripe.

SIXTH DEFENSE

To the extent state court litigation is filed over the allegations in the Complaint, or the Complaint raises issues under the North Carolina Constitution not yet resolved by the North Carolina Supreme Court, the Court should abstain from considering those claims.

SEVENTH DEFENSE

The Court lacks subject matter jurisdiction over some or all of Plaintiffs' claims, as Plaintiffs bring claims already held to be nonjusticiable by the U.S. Supreme Court. *See Rucho v. Common Cause,* 588 U.S. 684 (2019).

EIGHTH DEFENSE

Plaintiffs' claims for preliminary or emergency relief are barred by the doctrine of laches.

WHEREFORE, Proposed Intervenors move the court:

1. That Plaintiffs' Complaint be dismissed with prejudice and that judgment be entered for the Defendants on all claims;

2. That Proposed Intervenors be awarded their attorneys' fees and costs; and

3. That Proposed Intervenors be awarded such other and further relief as the Court may deem just and proper.

Respectfully submitted, this the 31st day of October, 2025.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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