

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOAQUÍN CARCAÑO, et al.,
Plaintiffs,

v.

ROY A. COOPER, III, et al.,
Defendants,

and

PHIL BERGER, et al.,
Intervenor-
Defendants.

1:16-cv-00236

ORDER

Before the court is Plaintiffs' Consent Motion for Leave to File Fourth Amended Complaint and for Extension of Time to Respond to Fourth Amended Complaint. (Doc. 208.) The 103-page proposed Fourth Amended Complaint challenges the passage of North Carolina Session Law 2017-4, which is alleged to continue in some fundamental way discrimination alleged to have been imposed by the now repealed Session Law 2016-3 (commonly known as House Bill 2); the Fourth Amended Complaint also continues to seek nominal damages for the alleged violation of the rights of named Plaintiffs during the pendency of Session Law 2016-3. See Fed. R. Civ. P. 15(a)(2); Northeastern Fla. Chapter of the Associated General Contractors of

America v. City of Jacksonville, 508 U.S. 656 (1993) (finding case in which the challenged law was repealed and replaced not moot where the gravamen of the complaint was that the new law "disadvantage[d] [plaintiffs] in the same fundamental way"). For good cause shown, therefore,

IT IS ORDERED that the consent motion (Doc. 208) is GRANTED;

IT IS FURTHER ORDERED that Plaintiffs shall electronically file their Fourth Amended Complaint within one business day; and

IT IS FURTHER ORDERED that Defendants and Intervenor-Defendants shall have 45 days from the date Plaintiffs' Fourth Amended Complaint is electronically filed to answer, move against, or otherwise respond to the Fourth Amended Complaint.

/s/ Thomas D. Schroeder
United States District Judge

September 6, 2017