

# BOWERS LAW OFFICE LLC

Post Office Box 50549  
Columbia, South Carolina 29250

Phone: 803-753-1099

[butch@butchbowers.com](mailto:butch@butchbowers.com)

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Penda D. Hair  
Edward A. Hailes, Jr.  
Denise D. Lieberman  
Donita Judge  
Caitlin Swain  
Advancement Project  
Suite 850  
1220 L Street, N.W.  
Washington, DC 20005  
[phair@advancementproject.com](mailto:phair@advancementproject.com)

Adam Stein  
Tin Fulton Walker & Owen, PLLC  
312 W. Franklin Street  
Chapel Hill, NC 27516  
[astein@tinfulton.com](mailto:astein@tinfulton.com)

Thomas D. Yannucci  
Daniel T. Donovan  
Susan M. Davies  
Bridget K. O'Connor  
K. Winn Allen  
Kim Rancour  
Jodi Wu  
Kirkland & Ellis LLP  
655 Fifteenth Street, N.W.  
Washington, DC 20005  
[Daniel.Donovan@kirkland.com](mailto:Daniel.Donovan@kirkland.com)

Irving Joyner  
PO Box 374  
Cary, NC 27512  
[ijoyner@nccu.edu](mailto:ijoyner@nccu.edu)

Re: *North Carolina State Conference of the NAACP et al. v. Patrick Lloyd McCrory et al.*, Middle District Civil Action No. 1:13-cv-658

Dear Counsel:

It has come to our attention that during the N.C. State Conference of the NAACP's ("N.C. NAACP") 71<sup>st</sup> Annual State Convention held this past weekend in Fayetteville, North Carolina, Rev. Dr. William Barber made several statements regarding the ongoing litigation regarding S.L. 2013-381, including the recent court rulings regarding the plaintiffs' motions for a preliminary injunction in this litigation. Some of these comments are included in videos that have been posted online. These videos appear to have been edited.

It is also our understanding that during the Freedom Fund Annual Awards Banquet held on Saturday evening, October 11, Rev. Barber urged those in attendance to take unregistered voters to vote during the Early Voting period and to engage in get-out-the vote activities that included transporting registered voters to vote in precincts in which they are not assigned to vote on Election Day, or words to that effect. The stated purpose for these activities, as I understand it, was to gather evidence for and thereby enhance plaintiffs' prospects of success in the litigation involving S.L. 2013-381. If such activities were to occur, they would not only appear to unfairly prejudice defendants in the pending litigation but would also be disruptive to the election process and could

result in voter confusion or disenfranchisement. We also question whether any such plan or conduct violates North Carolina election laws.

Due to the potentially serious consequences of these statements, please confirm whether Rev. Barber or anyone else, in fact, made statements to this effect to attendees at the N.C. NAACP's convention. In addition, please also let us know whether the N.C. NAACP has plans to direct unregistered voters to Early Voting sites or intends to transport registered voters to precincts where they are not assigned on Election Day.

Additionally, we respectfully ask that the N.C. NAACP preserve all original and edited video and audio recordings of any proceedings at its 71<sup>st</sup> Annual State Convention in its possession, custody, or control, including but not limited to any video or audio recording of the any comments made by Rev. Barber or others during the Freedom Fund Annual Awards Banquet held on Saturday, October 11. We further request that the N.C. NAACP preserve all documents, records and records (electronic or hard copy) related to its get-out-the-vote activities during this election cycle (including any plans to take unregistered voters to early voting or election day voters to incorrect precincts) as well as all documents and records (electronic or hard copy) regarding outreach to voters regarding provisions of Session Law 2013-381 during this election cycle.

Should you have any questions regarding these requests, please do not hesitate to contact me. I look forward to receiving your prompt response to our inquiry regarding Rev. Barber's statements.

Sincerely,

A handwritten signature in blue ink that reads "Karl S. Bowers, Jr." in a cursive style.

Karl S. Bowers, Jr.