

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FELICITY M. TODD VEASEY and  
SECOND AMENDMENT FOUNDATION,  
INC.,

Plaintiffs,

v.

BRINDELL B. WILKINS, JR., in his official  
capacity as Sheriff of Granville County, North  
Carolina,  
PAT McCRORY, in his official capacity as  
Governor of North Carolina,  
ROY COOPER, in his official capacity as  
Attorney General of North Carolina, and  
FRANK L. PERRY, in his official capacity as  
Secretary of the North Carolina Department of  
Public Safety,

Defendants.

No. 5:14-cv-00369-BO

KIRSTEN MESSMER,

Plaintiff,

v.

DONNIE HARRISON, in his Official Capacity  
as Sheriff of Wake County, North Carolina,  
PAT McCRORY, in his Official Capacity as  
Governor of North Carolina,  
ROY COOPER, in his Official Capacity as  
Attorney General of North Carolina, and  
FRANK L. PERRY, in his Official Capacity as  
Secretary of the North Carolina Department of  
Public Safety,

Defendants.

No. 5:15-cv-00097-BO

**STATE OF NORTH CAROLINA'S MOTION TO INTERVENE AND  
MOTION FOR EXTENSION OF TIME**

Pursuant to this Court's Orders of July 31, 2015 [5:14-cv-369, DE #58] and August 5, 2015 [5:15-cv-097, DE #40] holding that "any fees awarded would be assessed against the Sheriff in his official capacity, to be paid by the State of North Carolina", the State of North Carolina respectfully moves the Court, pursuant to Fed. R. Civ. P. 24 (a)(2) and Fed. R. Civ. P. 24 (b), to allow the State to intervene in the above-matter for the limited purpose of contesting Plaintiffs' Motion for Attorneys' Fees. Further, the State of North Carolina respectfully moves the Court, pursuant to Fed. R. Civ. P. 6(b), for an extension of time in which to file their Response to the Plaintiffs' Motion for Attorneys' Fees.

WHEREFORE, the State of North Carolina respectfully requests that the Court enter an order allowing the State to intervene for the limited purpose of contesting Plaintiffs' Motion for Attorneys' Fees, and enter an order extending the time for the State to file their Response to the Plaintiffs' Motion for Attorneys' Fees, up to and including 21 days after entry of the Order granting intervention.

Respectfully submitted the 15th day of October, 2015.

ROY COOPER  
Attorney General

/s/ Charles G. Whitehead  
Charles G. Whitehead  
Special Deputy Attorney General  
Carolina State Bar No. 39222  
Email: cwhitehead@ncdoj.gov  
N.C. Department of Justice  
Post Office Box 629  
Raleigh, North Carolina 27602-0629  
Telephone: (919) 716-6840  
Facsimile: (919) 716-6758  
*Counsel for State of North Carolina*

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel and parties of record as follows:

Camden R. Webb  
Williams Mullen  
301 Fayetteville St., Suite 1700  
P. O. Box 1000  
Raleigh, NC 27601  
*Counsel for Plaintiff  
Kirsten Messmer and Local Rule 83.1  
Counsel for Plaintiffs Felicity M. Todd  
Veasey and Second Amendment  
Foundation, Inc.*

Hal F. Askins  
J. Joy Strickland  
N.C. Dept. of Justice  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
*Counsel for Defendants  
Governor Pat McCrory, Attorney  
General Roy Cooper and Frank L.  
Perry*

Andrew H. Erteschik  
N.C. State Bar No. 35269  
aerteschik@poynerspruill.com  
P.O. Box 1801  
Raleigh, NC 27602-1801  
Telephone: 919.783.2895  
Facsimile: 919.783.1075  
*Counsel for Sherriff Brindell B.  
Wilkins and Sherriff Donnie  
Harrison*

David G. Sigale  
Law Firm of David G. Sigale, P.C.  
739 Roosevelt Road, Suite 304  
Glen Ellyn, IL 60137  
dsigale@sigalelaw.com  
*Lead Counsel for Plaintiffs  
Felicity M. Todd Veasey and Second  
Amendment Foundation, Inc.*

This the 15<sup>th</sup> day of October, 2015.

/s/ Charles G. Whitehead  
Charles G. Whitehead