

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

SETI JOHNSON and MARIE)
BONHOMME-DICKS, on behalf of)
themselves and those similarly)
situated, and SHAREE SMOOT and)
NICHELLE YARBOROUGH, on)
behalf of themselves and those)
similarly situated,)
Plaintiffs,)

No. 1:18-CV-00467

v.)

TORRE JESSUP, in his official)
capacity as Commissioner of the)
North Carolina Division of Motor)
Vehicles,)
Defendant.)

MOTION FOR JUDGMENT ON THE PLEADINGS

COMES NOW Defendant Torre Jessup, Commissioner of the North Carolina Division of Motor Vehicles, by counsel, and pursuant to Rule 12(c) of the *Federal Rules of Civil Procedure*, and in furtherance of the affirmative defense set forth in the Defendant's Answer and respectfully moves this Honorable Court for judgment on the pleadings, for the reasons set forth in the Memorandum accompanying this motion.

Electronically submitted, this the 28th day of August, 2018.

JOSHUA H. STEIN
Attorney General

/s/ Kathryn E. Hathcock
Kathryne E. Hathcock
Assistant Attorney General
E-mail: khathcock@ncdoj.gov
N.C. Bar No.: 33041

/s/ Neil Dalton
Neil Dalton
Special Deputy Attorney General
E-mail: ndalton@ncdoj.gov
N.C. Bar No.: 13357

/s/ Alexander McC. Peters
Alexander McC. Peters
Chief Deputy Attorney General
E-mail: apeters@ncdoj.gov
N.C. Bar No.: 13654

/s/ Ann Matthews
Ann Matthews
Special Deputy Attorney General
E-mail: amathews@ncdoj.gov
N.C. Bar No.: 15971

N.C. Department of Justice
Post Office Box 629
Raleigh, North Carolina 27602
Telephone: (919)716-6650
Facsimile: (919)716-6708

Counsel for Defendant

CERTIFICATE OF SERVICE

I, Kathryn E. Hathcock, Assistant Attorney General, do hereby certify that on this day, I have electronically filed the foregoing **DEFENDANT’S MOTION FOR JUDGMENT ON THE PLEADINGS** with the Clerk of Court using the CM/ECF system and electronically served Plaintiffs' copy of the foregoing through counsel, as indicated below:

E-mail: cbrook@acluofnc.org
Christopher A. Brook
E-mail: cbecker@acluofnc.org
Christina Becker
E-mail: sshah@acluofnc.org
Sneha Shah
ACLU OF NORTH CAROLINA
LEGAL FOUNDATION
Post Office Box 28004
Raleigh, North Carolina 27611
E-mail: nchoudhury@aclu.org
Nusrat J. Choudhury
E-mail: odanjuma@aclu.org
R. Orion Danjuma
ACLU
125 Broad Street, 18th Floor
New York, New York 10004

E-mail: Kristi.graunke@splcenter.org
Kristi L. Graunke
E-mail: Emily.early@splcenter.org
Emily Early
SOUTHERN POVERTY LAW CENTER
150 E. Ponce de Leon Ave., Suite 340
Decatur, Georgia 30030

E-mail: Samuel.brooke@splcenter.org
Samuel Brooke
E-mail: Danielle.davis@splcenter.org
Danielle Davis
SOUTHERN POVERTY LAW CENTER
400 Washington Avenue
Montgomery, Alabama 36104
E-mail: jeffloperfido@scsj.org
Jeffrey Loperfido
SOUTHERN COALITION FOR SOCIAL
JUSTICE
1415 W. NC Hwy 54, Suite 101
Durham, North Carolina 27707

Counsel for Plaintiffs

This the 28th day of August, 2018.

s/Kathryne E. Hathcock
Kathryne E. Hathcock
Assistant Attorney General