

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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WILLIAM WHITFORD, et al.,

Plaintiffs,

v.

Case No. 15CV0421

GERALD NICHOL, et al.,

Defendants.

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**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY**

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The defendants submit a notice of supplemental authority relating to a case relied upon by the plaintiffs in their briefing on remedy. The plaintiffs in their initial brief on remedy relied on the district court's remedial decision, in *Covington v. North Carolina*, No. 1:15-CV-399 (M.D.N.C. Nov. 29, 2016), as supporting their preferred approach to remedy in this case. (Dkt. 170:14, 23). Then, in their response brief on remedy, plaintiffs relied upon the *Covington* district court's subsequent decision denying North Carolina's stay motion. (Dkt. 174:6.)

On January 10, 2017, the United States Supreme Court granted North Carolina's motion to stay the *Covington* remedial order, with the stay to "remain in effect pending this Court's action on the appeal." A copy of the Supreme Court's order is attached hereto.

Dated this 12th day of January 11, 2017.

Respectfully submitted,

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(ORDER LIST: 580 U.S.)

TUESDAY, JANUARY 10, 2017

ORDER IN PENDING CASE

16A646 NORTH CAROLINA, ET AL. V. SANDRA LITTLE COVINGTON, ET AL.

The application for stay of the order of the United States District Court for the Middle District of North Carolina, case No. 1:15-CV-399, entered on November 29, 2016, presented to The Chief Justice and by him referred to the Court is granted, pending the timely filing of a statement as to jurisdiction. Should such statement be timely filed, this order shall remain in effect pending this Court's action on the appeal. If the judgment should be affirmed, or the appeal dismissed, this stay shall expire automatically. In the event jurisdiction is noted or postponed, this order will remain in effect pending the sending down of the judgment of this Court.