IN THE SUPREME COURT	)	
	)	
Action No	)	
	)	
TJ Edwards	) PLAINTIFF'S MOT	ION TO
PLAINTIFF	) DISMISS	
	)	
Versus	)	
	)	
Board of Elections,	)	
DEFENDANT	)	
	)	
*******	*******	* * * *
* * * * *		

## **MOTION**

- 1. Pursuant to R.41, a party reserves the right to "file a motion to dismiss based on failures of the opposing party to comply with the requirement of these Bylaws, the Student Constitution, or other Student Law, and shall serve to prevent the need of opposing parties to answer non-meritorious complaints."
- 2. PLAINTIFF hereby requests that the answer submitted by the DEFENDANT be struck from the record on grounds that the entirety of their response is fundamentally in opposition with both the court's rulings as well as *The Joint Code of Student Government*
- 3. As cited by the Court, pursuant to III J.C.S.G. §310(c), which states that entities may "choose any member of the UNC Student Body to serve as their counsel, assuming the latter accepts responsibility." provides clear qualifications for counsel. Moreover, this document does not provide any provisions that allow "consulting counsel" or outside counsel of any type. It is reasonable to conclude that "consulting" counsel would provide a near identical function to normal counsel in the construction of a case with the only difference being their presence in a courtroom.
- 4. There exists a clause which refers to "outside counsel" in III J.C.S.G. §333 stating that, "Any person, branch, or independent agency of Student Government shall reserve the right to other student counsel if a conflict may exist for their respective Student Solicitor General." which exists not for the purposes of eliciting "student" counsel from outside Universities or institutions, but rather student counsel aside from the Student Solicitor General for those persons, agencies and branches of Student Government for whom a conflict exists between them and the Student Solicitor General. In no way does this

suggest that "student counsel", or any type of counsel, outside of the *current* student body of University of North Carolina at Chapel Hill is permitted.

- 5. Callie Stevens, being a 1L student at George Washington University Law School and not enrolled at University of North Carolina at Chapel Hill anymore, does not meet the aforementioned qualifications and is thereby disqualified from being any type of counsel for the DEFENDANT
- 6. DEFENDANT wrote on their answer filed with the court that Callie Stevens was "consulting counsel" which definitively confesses the usage of outside counsel in assistance with DEFENDANT's answer to PLANTIFF's complaint.
- 7. DEFENDANT was informed of this by the court, and nonetheless still consulted UNC Alumni Callie Stevens on the case. While the extent of Callie Stevens' consulting work on the case is unknown, it is reasonable to conclude from the inclusion of her signature on the document that it was, at the very least, a noteworthy contribution. Regardless of the extent, any outside counsel had already been denied to the DEFENDANT, which their actions are in non-compliance with. DEFENDANT'S disregard for the ruling of the court, and utilization of outside counsel in constructing their answer to PLANTIFF's complaint subsequent to the denial of their request constitutes a direct violation of Student Law as they acted in negligence of the Student Supreme Court's interpretation.
- 8. This motion, admittedly, is not in response to a complaint filed by DEFENDANT, however PLAINTIFF nonetheless feels it is necessary that the DEFENDANT is made to answer for their non-compliance with the court's rulings.
- 9. Plaintiff hereby moves for a Motion to Dismiss or other extraordinary writ such that:
  - a. DEFENDANT's answer is dismissed from the record as well as any other consequences that the court deems necessary and just.

I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief.

/s/ Tj Edwards PLAINTIFF



/s/ Alex Thornburg

Counsel of Record

UNC Dept. of English and Comparative Literature

XXXXXXX

/s/ Grace Lena

UNC Dept. of Public Policy

/s/ Christian Chung

UNC Dept. of Public Policy

Filed this the 26th day of January, 2024