



VARIETY WHOLESALERS, INC.

Landmark Center One . 4601 Six Forks Road, Suite 300
Raleigh, North Carolina 27609

December 9, 2013

Rev. Dr. William J. Barber II, President
North Carolina NAACP Conference
Via FAX (919) 682-4700

Dear Rev. Dr. Barber:

I am in receipt of your letter of December 2, 2013, which you handed to me at your press conference in the name of a group called "Forward Together Moral Movement." I understand you were purporting to be acting on behalf of the NAACP and that two "501(c)(3)" charitable organizations, Bob Hall at Democracy NC and Chris Kromm at the Institute for Southern Studies, as well as the AFL-CIO, also participated.

At the press conference you announced a "picket campaign" targeting the Roses Stores, our employees and customers, with a "demand that Budget Director Pope call for a reversal" of policies enacted by the 2013 Legislative Session.

I am shocked that you and your allies would demand any public official to support your political positions, by threatening a business which is not part of state government. It would be wrong for me to respond to your demands as State Budget Director because you are carrying out your threats against my company and our employees. However, I will respond to your attack on me personally, and on behalf of our company, Variety Wholesalers, Inc.

First and foremost, I am saddened that you choose to attack my company, our employees and customers. Our retail stores are indeed located in many communities, including as you noted, "in working class and minority communities." We literally create and bring thousands of much-needed jobs to communities throughout North Carolina.

Variety Wholesalers, Inc. and the Roses Stores are an equal opportunity employer. While the population of North Carolina is about 22% African-American, over 44% of our employees are African-American according to our July, 2013 EEO-1 report filed with the US Department of Labor. Furthermore, over 37% of the managers in our stores are African-American.

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Variety Wholesalers, Inc. and our stores pay millions of dollars in payroll to our employees, and collect and remit to the state millions of dollars in income and sales taxes to finance our public schools and other public services.

We give the people an opportunity to shop and buy great values in their neighborhood. Our stores are good members of the community, providing good jobs and a place for the whole family to shop. Our stores do not sell alcohol, tobacco or lottery tickets.

Second, I was very disappointed by your false charge that I do not support voting rights. I have a long public record in support of democracy and voting rights. I was the successful plaintiff-intervenor in the 1990's *Shaw* litigation, in which the U.S. Supreme Court held that the original 1991 North Carolina 12th US Congressional District, enacted by the Democratic legislative majority, was an unconstitutional discriminatory racial gerrymander. I was also a plaintiff in the *Stephenson* litigation of the 2000's that upheld in both the Federal courts and by the NC Supreme Court, that legislative redistricting should follow the North Carolina Constitution's "whole county provision," subject to the Federal Voting Rights Act. The *Stephenson* case limits gerrymander by which ever political party is in the majority.

As a legislator in 1991, and again in 2001, I voted against the redistricting plans enacted by the Democratic Party majority, stating the plans violated the Voting Rights Act. And indeed, in both years the US Justice Department validated my position, by refusing to pre-clear the initial Democratic Party majority redistricting plans for failure to comply with the Voting Rights Act. In sharp contrast, the 2011 redistricting plans enacted by a Republican majority were pre-cleared by President Obama's U.S. Justice Department the first time, and have to date been upheld by every court.

While the 2011 redistricting by the NC General Assembly has been upheld, I agree that it would be best if redistricting was done by a non-partisan commission. While you and your groups were silent when the Democratic Party had the legislative majority and engaged in political gerrymandering, as a legislator I twice sponsored legislation for Independent Redistricting Commission with House Bill 1099 (1989) and House Bill 1179 (1999).

Dr. Barber, you, Bob Hall and Chris Kromm have announced a picket, a boycott against Roses Stores, because I donate to Republican candidates, while you and your allies support Democratic Party candidates. Dr. Barber, you, Bob Hall and Chris Kromm have announced a picket, a boycott against Roses Stores, because I support conservative public policy groups such as Civitas, rather than Bob Hall's Democracy NC or Chris Kromm's Institute for Southern Studies.

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However, in a free and small "d" democratic society, every citizen should be free to support the candidates of their choice, and advocate the policies they believe in, without retaliation. I disagree with some, but not all, of your positions and organizations you support. But I do think we share a common goal of alleviating poverty. Let us respectfully disagree while we debate the merits, and better policies with consensus support of the people will be enacted through the democratic process.

Sincerely,

VARIETY WHOLESALERS, INC.

A handwritten signature in black ink that reads "Art Pope". The signature is written in a cursive, flowing style.

Art Pope
President