

FILED: April 17, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1721
(1:19-cv-00272-LCB-LPA)

MAXWELL KADEL; JASON FLECK; CONNOR THONEN-FLECK; JULIA
MCKEOWN; MICHAEL D. BUNTING, JR.; C.B., by his next friends and
parents; SAM SILVAINE; DANA CARAWAY

Plaintiffs - Appellees

v.

DALE FOLWELL, in his official capacity as State Treasurer of North Carolina;
EXECUTIVE ADMINISTRATOR OF THE NORTH CAROLINA STATE
HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES

Defendants - Appellants

and

NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE
EMPLOYEES; STATE OF NORTH CAROLINA DEPARTMENT OF PUBLIC
SAFETY

Defendants

CONSTITUTIONAL LAW PROFESSORS

Amicus Supporting Appellants

NEW YORK; CALIFORNIA; COLORADO; DELAWARE; HAWAII;
ILLINOIS; MAINE; MARYLAND; MASSACHUSETTS; MINNESOTA;

NEVADA; NEW JERSEY; NEW MEXICO; OREGON; RHODE ISLAND;
VERMONT; WASHINGTON; DISTRICT OF COLUMBIA

Amici Supporting Appellees

O R D E R

The court schedules this case for en banc oral argument during the September 19-22, 2023, oral argument session. The case will be heard in seriatim with No. 22-1927, *Christopher Fain v. William Crouch*.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk