

1STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
23 CVS 28505-910

ROY A. COOPER, III, in his official
capacity as GOVERNOR OF THE
STATE OF NORTH CAROLINA,

Plaintiff,

v.

PHILIP E. BERGER, in his official
capacity as PRESIDENT PRO
TEMPORE OF THE NORTH
CAROLINA SENATE; TIMOTHY K.
MOORE, in his official capacity as
SPEAKER OF THE NORTH
CAROLINA HOUSE OF
REPRESENTATIVES; and THE
STATE OF NORTH CAROLINA, et
al.

Defendants.

DEFENDANT
THE STATE OF NORTH CAROLINA'S
NOTICE OF APPEAL

TO THE HONORABLE NORTH CAROLINA COURT OF APPEALS:

The State of North Carolina hereby gives notice of appeal to the North Carolina Court of Appeals from the Order entered in this action on February 28, 2024, by the three-judge panel "Granting in Part and Denying in Part Plaintiff's Motion for Summary Judgment and Granting in Part and Denying in Part Legislative Defendants' Motions for Summary Judgment."

Respectfully submitted this the 11th day of March, 2024.

NORTH CAROLINA
DEPARTMENT OF JUSTICE

/s/ Amar Majmundar
Amar Majmundar
Senior Deputy Attorney General
NC State Bar No. 24668
Email: amajmundar@ncdoj.gov

Stephanie A. Brennan
Special Deputy Attorney General
NC State Bar No. 35955
Email: sbrennan@ncdoj.gov

North Carolina Department of Justice
PO Box 629
Raleigh, NC 27602
Telephone: 919.716.6900

*Attorneys for Defendant State of North
Carolina*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon all parties to this cause by email, and addressed as follows:

WOMBLE BOND DICKINSON
(US) LLP

Matthew F. Tilley
matthew.tilley@wbd-us.com
Russ Ferguson
russ.ferguson@wbd-us.com
Sean E. Andrussier
sean.andrussier@wbd-us.com
Peyton M. Poston
peyton.poston@wbd-us.com
Attorneys for Legislative Defendants

BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, L.L.P.
Jim W. Phillips, Jr.
jphillips@brookspierce.com
Eric M. David
edavid@brookspierce.com
Daniel F. E. Smith
dsmith@brookspierce.com
Amanda S. Hawkins
ahawkins@brookspierce.com
*Attorneys for Plaintiff Roy Cooper,
Governor of the State of North Carolina*

Nick Torrey ntorrey@selcnc.org
Zoe Gabrielson zgabrielson@selcnc.org
Kimberley Hunter kymhunter@gmail.com
2109 Mount Sinai Road
Chapel Hill, NC 27514
*Attorneys for Southern Environmental
Law Center*

WAKE COUNTY SUPERIOR COURT

Kellie Myers, Trial Court Administrator
Kellie.Z.Myers@nccourts.org
Lisa Tucker, Civil Superior Case Manager
Lisa.R.Tucker@nccourts.org
Aaron Davison
Aaron.D.Davison@nccourts.org
Byron Frazelle
Samuel.B.Frazelle@nccourts.org

DOWLING PLLC
Craig D. Schauer
cschauer@dowlingfirm.com
W. Michael Dowling
mike@dowlingfirm.com
3801 Lake Boone Tr., Suite 260
Raleigh, North Carolina 27607

J. Michael Carpenter
mcarpenter@nchba.org
General Counsel
North Carolina Home Builders Association
P.O. Box 99090
Raleigh, NC 27624-9090

*Attorneys for the North Carolina
Home Builders Association*

Phillip T. Reynolds
Email: preynolds@ncdoj.gov
Special Deputy Attorney General
N.C. Department of Justice
Environmental Division
P.O. Box 629
Raleigh, NC 27602
Attorney for Defendant EMC

This the 11th day of March, 2024.

/s/ Amar Majmundar
Amar Majmundar
Senior Deputy Attorney General