

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
No. 24CV003534-910

BEVERLY BARD, RICHARD LEVY, SUSAN KING COPE, ALLEN WELLONS, LINDA MINOR, THOMAS W. ROSS, SR., MARIE GORDON, SARAH KATHERINE SCHULTZ, JOSEPH J. OCCIA, TIMOTHY S. EMRY, and JAMES G. ROWE,

Plaintiffs,

v.

NORTH CAROLINA STATE BOARD OF ELECTIONS, ALAN HIRSCH, in his official capacity as Chair of the North Carolina State Board of Elections, JEFF CARMON III in his official capacity as Secretary of the North Carolina State Board of Elections, STACY “FOUR” EGGERS in his official capacity as a member of the North Carolina State Board of Elections, SIOBHAN O’DUFFY MILLEN in her official capacity as a member of the North Carolina State Board of Elections, KEVIN N. LEWIS in his official capacity as a Member of the North Carolina State Board of Elections, PHILLIP E. BERGER in his official capacity as President Pro Tem of the North Carolina Senate, and TIMOTHY K. MOORE in his official capacity as Speaker of the North Carolina House of Representatives,

Defendants.

**LEGISLATIVE DEFENDANTS’
NOTICE OF CROSS-APPEAL**

TO THE HONORABLE COURT OF APPEALS OF NORTH CAROLINA:

Defendants Philip E. Berger, in his official capacity as President *Pro Tempore* of the North Carolina Senate, and Timothy K. Moore, in his official capacity as Speaker of the North Carolina House of Representatives (“Legislative Defendants”), by and through the undersigned counsel,

hereby give notice of cross-appeal to the North Carolina Court of Appeals pursuant to Rule 3 of the North Carolina Rules of Appellate Procedure from the portion of the order entered on 28 June 2024 and the subsequent final judgment by the three-judge panel entered on 22 July 2024 by Superior Court Judges Jeffery B. Foster, Angela B. Puckett, and C. Ashely Gore that orders each party to pay their own attorneys' fees.

Respectfully submitted, this the 20th day of August, 2024.

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

By: /s/ Phillip J. Strach

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CERTIFICATE OF SERVICE

I, Phillip J. Strach, hereby certify that I have served a copy of the foregoing document upon counsel of record via email pursuant to N.C. R. Civ. P. 5 as follows:

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This the 20th day of August, 2024.

**NELSON MULLINS RILEY &
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/s/ Phillip J. Strach
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