



# North Carolina Court of Appeals

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No. P20-513

**NORTH CAROLINA ALLIANCE FOR RETIRED AMERICANS; BARKER FOWLER; BECKY JOHNSON; JADE JUREK; ROSALYN KOCIEMBA; TOM KOCIEMBA; SANDRA MALONE; AND CAREN RABINOWITZ, PLAINTIFFS,**

**V.**

**THE NORTH CAROLINA STATE BOARD OF ELECTIONS; AND DAMON CIRCOSTA, CHAIR OF THE NORTH CAROLINA STATE BOARD OF ELECTIONS, 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, Intervenor-Defendants, AND**

**REPUBLICAN NATIONAL COMMITTEE; NATIONAL REPUBLICAN SENATORIAL COMMITTEE; NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE; DONALD J. TRUMP FOR PRESIDENT, INC; AND NORTH CAROLINA REPUBLICAN PARTY**

From Wake  
( 20CVS8881 )

## **ORDER**

The following order was entered:

The 'Petition for Writ of Supersedeas and Motion for Temporary Stay' filed in this cause on 13 October 2020 by Philip E. Berger and Timothy K. Moore, in their respective official capacities as President Pro Tempore of the North Carolina Senate and Speaker of the North Carolina House of Representatives, and the 'Renewed Petition for Writ of Supersedeas and Motion for Temporary Stay and Expedited Review' filed in this cause on 13 October 2020 by the Republican National Committee, National Republican Senatorial Committee, National Republican Congressional Committee, Donald J. Trump for President, Inc, and the North Carolina Republican Party, are decided as follows: The petitions for writ of supersedeas are denied except for the purpose of directing the trial court to conduct any hearings it deems necessary and to issue any necessary orders to determine the scope of implementation of the order entered on 2 October 2020 by Judge G. Bryan Collins, Jr. in Wake County Superior Court in light of Numbered Memo 2020-19 and any orders entered by a federal court in any related matters. The temporary stay granted by this Court on 15 October 2020 is dissolved. The Motion for Expedited Review is dismissed without prejudice to re-filing once the appeal has been docketed in this Court.

By order of the Court this the 19th of October 2020.

The above order is therefore certified to the Clerk of the Superior Court, Wake County.

WITNESS my hand and the seal of the North Carolina Court of Appeals, this the 19th day of October

2020.



Daniel M. Horne Jr.  
Clerk, North Carolina Court of Appeals

Copy to:

Mr. Nathan A. Huff, Attorney at Law, For Berger, Philip E et al  
Ms. Nicole J. Moss, Attorney at Law  
Mr. David H. Thompson, Attorney at Law  
Mr. Peter A. Patterson, Attorney at Law  
Mr. Burton Craige, Attorney at Law  
Mr. Alexander McC. Peters, Special Deputy Attorney General  
Mr. R. Scott Tobin, Attorney at Law, For Berger, Philip E et al  
Marc E. Elias, For Barker, Fowler et al  
Ms. Denise S. Upchurch  
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Jyoti Jasrasaria, For Barker, Fowler et al  
Uzoma N. Nkwonta, For Barker, Fowler et al  
Mr. Narendra K. Ghosh, Attorney at Law, For Barker, Fowler et al  
Mr. Terence Steed, Assistant Attorney General, For Berger, Philip E et al  
Bobby R. Burchfield, King & Spaulding LLP, For Berger, Philip E et al  
Mr. Ryan Y. Park, Solicitor General, For The North Carolina State Board of Elections  
Hon. Frank Blair Williams, Clerk of Superior Court