

# Supreme Court of North Carolina

**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, Intervenor-Defendants**

From N.C. Court of Appeals  
( P20-513 )  
From Wake  
( 20CVS8881 )

## **ORDER**

Upon consideration of the petition filed by Intervenor-Defendants (Phil E. Berger and Timothy K. Moore, in their official capacities) on the 21st of October 2020 for Writ of Supersedeas of the judgment of the Superior Court, Wake County, the following order was entered and is hereby certified to the North Carolina Court of Appeals:

"Denied by order of the Court in conference, this the 26th of October 2020."

Beasley, C.J., Recused  
Newby, J., Recused  
Davis, J., Recused

**s/ Earls, J.  
For the Court**

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 26th day of October 2020.



*Amy L. Funderburk*

Amy L. Funderburk  
Clerk, Supreme Court of North Carolina

M. C. Hackney  
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals

Mr. Nathan A. Huff, Attorney at Law, For Berger, Philip E et al - (By Email)

Ms. Nicole J. Moss, Attorney at Law, For Berger, Philip E et al - (By Email)

Mr. Burton Craige, Attorney at Law, For Barker, Fowler et al - (By Email)

Mr. Alexander McC. Peters, Special Deputy Attorney General, For The North Carolina State Board of Elections, et al. - (By Email)

Mr. R. Scott Tobin, Attorney at Law, For Republican National Committee, et al. - (By Email)

Mr. Narendra K. Ghosh, Attorney at Law, For Barker, Fowler et al - (By Email)

Mr. Terence Steed, Assistant Attorney General, For The North Carolina State Board of Elections, et al. - (By Email)

Mr. Ryan Y. Park, Solicitor General, For The North Carolina State Board of Elections, et al. - (By Email)

Ms. Kellie Z. Myers, Trial Court Administrator - (By Email)

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