

SUPREME COURT OF NORTH CAROLINA

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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; )  
NORTH CAROLINA BIPARTISAN STATE )  
BOARD OF ELECTIONS AND ETHICS )  
ENFORCEMENT; AND JAMES A. (ANDY) )  
PENRY, IN HIS OFFICIAL CAPACITY AS )  
CHAIR OF THE NORTH CAROLINA )  
BIPARTISAN STATE BOARD OF ELECTIONS )  
AND ETHICS ENFORCEMENT, )

Wake County

Defendants. )

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ORDER

The superior court's 31 August 2018 order denying plaintiff's motion for a temporary restraining order is affirmed and this matter is remanded to the superior court for further proceedings.

By order of the Court in Conference, this the 4<sup>th</sup> day of September, 2018.

*Michael R. Morgan*

For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 4<sup>th</sup> day of September, 2018.

*Amy L. Funderburk*

AMY L. FUNDERBURK

Clerk of the Supreme Court



Copy to:

North Carolina Court of Appeals  
Mr. John R. Wester via email  
Mr. J. Dickson Phillips, III via email  
Mr. Adam K. Doerr via email  
Mr. Erik R. Zimmerman via email  
Ms. Morgan P. Abbott via email  
Mr. D. Martin Warf via email  
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