

SUPREME COURT OF NORTH CAROLINA

DEENA DIECKHAUS, GINA
MCALLISTER, BRADY WAYNE
ALLEN, JACORIA STANLEY,
NICHOLAS SPOONEY, and
VIVIAN HOOD, each
individually and on behalf of all
others similarly situated

From N.C. Court of Appeals
21-797

From Orange
20CVS564

v.

BOARD OF GOVERNORS OF
THE UNIVERSITY OF NORTH
CAROLINA

ORDER

This matter is before this Court on plaintiffs’ petition for writ of certiorari to review a decision of the Court of Appeals affirming the trial court’s dismissal of plaintiffs’ claims on the basis of sovereign and statutory immunity. The petition is (1) allowed for review of whether N.C.G.S. § 116-311 violates the Contracts Clause of the United States Constitution; (2) allowed for review of whether N.C.G.S. § 116-311 violates the Takings Clause of the United States Constitution; (3) allowed for review of whether the legislature’s enactment of N.C.G.S. § 116-311 violated the due process clauses of both the United States and North Carolina Constitutions; (4) allowed for review of whether defendants’ breach was “reasonably related to protecting the public health, safety, and welfare” as required under N.C.G.S. § 116-311(a)(2); and (5)

DIECKHAUS, ET AL. V. BOARD OF GOVERNORS OF THE UNIVERSITY OF N.C.

No. 105P23

Order of the Court

denied as to all remaining issues.

By order of the Court in Conference, this the 13th day of December 2023.

/s/ Riggs, J.
For the Court

Barringer, J., recused.

WITNESS my hand and the seal of the Supreme Court of North Carolina, this
the 15th day of December 2023.



A handwritten signature in blue ink, reading "Grant E. Buckner".

Grant E. Buckner
Clerk of the Supreme Court

Copy to:

North Carolina Court of Appeals

Mr. Blake Garrett Abbott, Attorney at Law, For Dieckhaus, Deena, et al - (By Email)

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