

**U.S. District Court  
EASTERN DISTRICT OF NORTH CAROLINA (Western Division)  
CIVIL DOCKET FOR CASE #: 5:11-cv-00470-F**

American Civil Liberties Union of North Carolina et al v. Conti, Jr. et al  
Assigned to: Senior Judge James C. Fox  
Case in other court: 4th Circuit Court of Appeals, 13-01030  
Cause: 28:1331 Fed. Question: Civil Rights Violation

Date Filed: 09/08/2011  
Date Terminated: 04/06/2016  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**American Civil Liberties Union of North Carolina**

represented by **Christopher Anderson Brook**  
American Civil Liberties Union of North Carolina  
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Raleigh, NC 27611  
919-834-3466  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Katherine Lewis Parker**  
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1213 Culbreth Drive  
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910-228-5200  
Fax: 910-401-1155  
Email: kparker@tinfulton.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Dean Debnam**

represented by **Christopher Anderson Brook**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Katherine Lewis Parker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Christopher Heaney**

represented by **Christopher Anderson Brook**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Katherine Lewis Parker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Susan Holliday**  
*CNM, MSN*

represented by **Christopher Anderson Brook**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Katherine Lewis Parker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Maria Magher**

represented by **Christopher Anderson Brook**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Katherine Lewis Parker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Eugene A Conti, Jr.**  
*in his official capacity as Secretary of  
the North Carolina Department of  
Transportation*

represented by **Neil Clark Dalton**  
N.C. Dept. of Justice  
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919-716-6550  
Fax: 919-716-6708  
Email: ndalton@ncdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Michael Robertson**  
*in his official capacity as Commissioner  
of the North Carolina Division of Motor  
Vehicles*

represented by **Neil Clark Dalton**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Michael Gilchrist**  
*in his official capacity as Colonel of the  
 North Carolina State Highway Patrol*  
 TERMINATED: 11/17/2011

represented by **Hal F. Askins**  
 Wake County Sheriff's Office  
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**LEAD ATTORNEY**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/08/2011	<a href="#"><u>1</u></a>	COMPLAINT against All Defendants ( Filing fee \$ 350 receipt number 254CQ4ED.), filed by Susan Holliday, American Civil Liberties Union of North Carolina, Maria Magher, Dean Debnam, Christopher Heaney. (Attachments: # <a href="#"><u>1</u></a> Exhibit A - House Bill 289, Session Law 2011-392, # <a href="#"><u>2</u></a> Exhibit B - Affidavits of ACLU-NC Members, # <a href="#"><u>3</u></a> Exhibit C - Notice of Filing Compact Discs of House and Senate Committee Meetings, # <a href="#"><u>4</u></a> Exhibit D - House and Senate Floor Amendments) (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#"><u>2</u></a>	FINANCIAL DISCLOSURE STATEMENT by American Civil Liberties Union of North Carolina. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#"><u>3</u></a>	FINANCIAL DISCLOSURE STATEMENT by Dean Debnam (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#"><u>4</u></a>	FINANCIAL DISCLOSURE STATEMENT by Christopher Heaney (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#"><u>5</u></a>	FINANCIAL DISCLOSURE STATEMENT by Susan Holliday (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#"><u>6</u></a>	FINANCIAL DISCLOSURE STATEMENT by Maria Magher (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#"><u>7</u></a>	Emergency MOTION for Temporary Restraining Order by American

		Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">8</a>	MOTION for Preliminary Injunction by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">9</a>	Memorandum in Support re <a href="#">7</a> Emergency MOTION for Temporary Restraining Order, <a href="#">8</a> MOTION for Preliminary Injunction filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">10</a>	Proposed Order re <a href="#">7</a> Emergency MOTION for Temporary Restraining Order filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">11</a>	Proposed Order re <a href="#">8</a> MOTION for Preliminary Injunction filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011		Case Selected for Mediation - A printable list of certified mediators for the Eastern District of North Carolina is available on the court's Website, <a href="http://www.nced.uscourts.gov/applications/mediators.asp">http://www.nced.uscourts.gov/applications/mediators.asp</a> . Please serve this list on all parties. (Beasley, B.) (Entered: 09/08/2011)
09/08/2011		NOTICE OF DEFICIENCY re: <a href="#">1</a> Complaint. Counsel failed to file a JS44 Civil Cover Sheet as required by the Court and failed to provide Summons for issuance or file a Notice of Waiver of Service. (Heath, D.) (Entered: 09/08/2011)
09/08/2011		NOTICE TO COUNSEL - Counsel should file a Notice of Appearance pursuant to Local Civil Rule 5.2(a). (Heath, D.) (Entered: 09/08/2011)
09/08/2011		Motions Submitted to Senior Judge James C. Fox: <a href="#">8</a> MOTION for Preliminary Injunction, <a href="#">7</a> Emergency MOTION for Temporary Restraining Order. (Edwards, S.) (Entered: 09/08/2011)
09/08/2011	<a href="#">12</a>	NOTICE by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher re <a href="#">1</a> Complaint, <i>Civil Cover Sheet</i> (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">13</a>	NOTICE of Appearance by Katherine Lewis Parker on behalf of American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">14</a>	REQUEST FOR WAIVER of Service sent to Eugene A. Conti on

		September 8, 2011 by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. Waiver of Service due by 10/10/2011. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">15</a>	REQUEST FOR WAIVER of Service sent to Michael Robertson on September 8, 2011 by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. Waiver of Service due by 10/10/2011. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011	<a href="#">16</a>	REQUEST FOR WAIVER of Service sent to Michael Gilchrist on September 8, 2011 by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. Waiver of Service due by 10/10/2011. (Parker, Katherine) (Entered: 09/08/2011)
09/08/2011		Received three CDs of House and Senate Committee Meetings from counsel for the plaintiff. Will place in file drawer in case manager's office. (Edwards, S.) (Entered: 09/15/2011)
09/14/2011	<a href="#">17</a>	Summons Issued as to Eugene A Conti, Jr., Michael Gilchrist, and Michael Robertson. (Grady, B.) (Entered: 09/15/2011)
09/19/2011	<a href="#">18</a> <b>R</b>	ORDER denying as moot <a href="#">7</a> Motion for Temporary Restraining Order. Counsel is reminded to read the order in its entirety for critical deadlines and instructions. Signed by Senior Judge James C. Fox on 9/19/2011. (Edwards, S.) (Entered: 09/19/2011)
09/19/2011	<a href="#">19</a>	NOTICE of Hearing on Motion - <a href="#">8</a> MOTION for Preliminary Injunction -Motion Hearing set for 12/1/2011 at 09:30 AM in Wilmington before Senior Judge James C. Fox. Copies served. (Edwards, S.) (Entered: 09/19/2011)
09/21/2011	<a href="#">20</a>	NOTICE by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher re <a href="#">18</a> <b>R</b> Order on Motion for TRO <i>Certificate of Service of Order to Defense Counsel</i> (Parker, Katherine) (Entered: 09/21/2011)
10/05/2011	<a href="#">21</a>	MOTION for Extension of Time to File Answer by Eugene A Conti, Jr., Michael Robertson. (Dalton, Neil) (Entered: 10/05/2011)
10/06/2011		MOTION REFERRED to Dennis P. Iavarone, Clerk of Court: <a href="#">21</a> MOTION for Extension of Time to File Answer. (Edwards, S.) (Entered: 10/06/2011)
10/06/2011	<a href="#">22</a>	MOTION for Extension of Time to File Answer by Michael Gilchrist. (Askins, Hal) (Entered: 10/06/2011)
10/06/2011		MOTION REFERRED to Dennis P. Iavarone, Clerk of Court: <a href="#">22</a> MOTION for Extension of Time to File Answer. (Edwards, S.) (Entered: 10/06/2011)

10/06/2011		TEXT ORDER granting <a href="#">21</a> Motion for Extension of Time to Answer. Eugene A Conti, Jr. answer due 10/26/2011; Michael Robertson answer due 10/26/2011. Signed by Dennis P. Iavarone, Clerk of Court on October 6, 2011. (Iavarone, Dennis) (Entered: 10/06/2011)
10/06/2011		TEXT ORDER granting <a href="#">22</a> Motion for Extension of Time to Answer. Michael Gilchrist answer due 10/31/2011. Signed by Dennis P. Iavarone, Clerk of Court on October 6, 2011. (Iavarone, Dennis) (Entered: 10/06/2011)
10/11/2011	<a href="#">23</a>	ORDER Resetting Hearing on Motion <a href="#">8</a> MOTION for Preliminary Injunction: Motion Hearing reset for 11/21/2011 and 11/22/2011 at 9:30 AM in Wilmington before Senior Judge James C. Fox. Counsel is reminded to read the order in its entirety for critical deadlines and information. Signed by Senior Judge James C. Fox on 10/11/2011. (Edwards, S.) (Entered: 10/11/2011)
10/11/2011	<a href="#">24</a>	NOTICE of Hearing on Motion <a href="#">8</a> MOTION for Preliminary Injunction: Motion Hearing set for 11/21/2011 and 11/22/2011 at 09:30 AM in Wilmington - Courtroom 1 before Senior Judge James C. Fox. (Edwards, S.) (Entered: 10/11/2011)
10/25/2011	<a href="#">25</a>	ANSWER to Complaint by Eugene A Conti, Jr., Michael Robertson. (Dalton, Neil) (Entered: 10/25/2011)
10/31/2011	<a href="#">26</a>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Michael Gilchrist. (Askins, Hal) (Entered: 10/31/2011)
10/31/2011	<a href="#">27</a>	Memorandum in Support re <a href="#">26</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Michael Gilchrist. (Askins, Hal) (Entered: 10/31/2011)
10/31/2011	<a href="#">28</a>	Proposed Order re <a href="#">27</a> Memorandum in Support, <a href="#">26</a> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Michael Gilchrist. (Askins, Hal) (Entered: 10/31/2011)
10/31/2011	<a href="#">29</a>	ORDER FOR DISCOVERY PLAN sent to all parties. Signed by Dennis P. Iavarone, Clerk of Court on 10/31/2011. (Edwards, S.) (Entered: 10/31/2011)
11/07/2011	<a href="#">30</a>	RESPONSE to Motion re <a href="#">8</a> MOTION for Preliminary Injunction filed by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. (Dalton, Neil) (Entered: 11/07/2011)
11/08/2011	<a href="#">31</a>	ORDER <i>sua sponte</i> Re-setting Hearing on Motion: <a href="#">8</a> MOTION for Preliminary Injunction - Motion Hearing re-set for 11/21/2011 at 11:00 AM in Wilmington - Courtroom 3 before Senior Judge James C. Fox. Signed by Senior Judge James C. Fox on 11/8/2011. (Edwards, S.) (Entered: 11/08/2011)
11/14/2011	<a href="#">32</a>	REPLY to Response to Motion re <a href="#">8</a> MOTION for Preliminary Injunction filed by American Civil Liberties Union of North Carolina,

		Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 11/14/2011)
11/14/2011	<a href="#">33</a>	NOTICE of Voluntary Dismissal by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher as to Defendant Michael Gilchrist only (Parker, Katherine) Modified on 11/17/2011 to include the name of the defendant involved (Edwards, S.). (Entered: 11/14/2011)
11/17/2011	<a href="#">34</a>	ORDER <i>sua sponte</i> Re-setting Hearing on Motion <a href="#">8</a> MOTION for Preliminary Injunction: Motion Hearing re-set for 11/28/2011 at 9:00 AM in Wilmington - Courtroom 3 before Senior Judge James C. Fox. Signed by Senior Judge James C. Fox on 11/16/2011. (Edwards, S.) (Entered: 11/17/2011)
11/17/2011		Motion Submitted to Senior Judge James C. Fox: <a href="#">8</a> MOTION for Preliminary Injunction. (Edwards, S.) (Entered: 11/17/2011)
11/28/2011	<a href="#">35</a>	Minute Entry for proceedings held before Senior Judge James C. Fox in Wilmington: Motion Hearing held on 11/28/2011, re <a href="#">8</a> MOTION for Preliminary Injunction filed by Christopher Heaney, Dean Debnam, American Civil Liberties Union of North Carolina, Susan Holliday and Maria Magher. Counsel for both parties present. The court heard arguments from the parties about the motion. After hearing from counsel, the court GRANTS the Motion for Preliminary Injunction. The plaintiff's must pay a \$50,000 bond. A written order to follow. (Court Reporter Stacy Schwinn) (Edwards, S.) (Entered: 11/28/2011)
12/08/2011	<a href="#">36</a> <b>R</b>	ORDER granting <a href="#">8</a> Motion for Preliminary Injunction. Counsel is reminded to read the order in its entirety for critical deadlines and information. Signed by Senior Judge James C. Fox on 12/8/2011. (Edwards, S.) (Entered: 12/08/2011)
12/15/2011	<a href="#">37</a>	REPORT of Rule 26(f) Planning Meeting by American Civil Liberties Union of North Carolina, Eugene A Conti, Jr., Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher, Michael Robertson. (Parker, Katherine) (Entered: 12/15/2011)
12/15/2011	<a href="#">38</a>	Consent MOTION to Amend/Correct <a href="#">36</a> <b>R</b> Order on Motion for Preliminary Injunction <i>to Modify Order on Injunction Bond</i> by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 12/15/2011)
12/15/2011	<a href="#">39</a>	Memorandum in Support re <a href="#">38</a> Consent MOTION to Amend/Correct <a href="#">36</a> <b>R</b> Order on Motion for Preliminary Injunction <i>to Modify Order on Injunction Bond</i> filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Parker, Katherine) (Entered: 12/15/2011)
12/16/2011		Motion Submitted to Senior Judge James C. Fox - <a href="#">38</a> Consent

		MOTION to Amend/Correct <a href="#">36</a> <b>R</b> Order on Motion for Preliminary Injunction, to <i>Modify Order on Injunction Bond</i> . (Foell, S.) (Entered: 12/16/2011)
12/19/2011		Referred the parties proposed discovery plan at docket entry <a href="#">37</a> to US Magistrate Judge James E. Gates for an order on scheduling. (Edwards, S.) (Entered: 12/19/2011)
12/19/2011	<a href="#">40</a>	SCHEDULING ORDER: Discovery due by 6/29/2012 - Motions due by 7/31/2012 - Bench Trial set for the 12/3/2012 term at 10:00 AM in Wilmington - Courtroom 1 before Senior Judge James C. Fox. Signed by US Magistrate Judge James E. Gates on 12/19/2011. (Edwards, S.) (Entered: 12/19/2011)
12/20/2011	<a href="#">41</a>	ORDER granting <a href="#">38</a> Motion to Amend/Correct the Court's 12/8/2011 Order. Counsel is reminded to read the order in its entirety for critical information and deadlines. Signed by Senior Judge James C. Fox on 12/19/2011. (Edwards, S.) (Entered: 12/20/2011)
12/20/2011		Pursuant to Local ADR Rule 101.1c(a), counsel is reminded that the parties must file a written statement identifying an agreed upon mediator within twenty one (21) days of the entry of the Scheduling Order. If a statement is not timely filed, the Clerk of Court will appoint a mediator from the list of court certified mediators. Selection of Mediator must be electronically filed on or before January 10, 2012. (Horton, B.) (Entered: 12/20/2011)
12/21/2011	<a href="#">42</a>	Receipt for bond payment in the amount of \$100.00, Receipt Number RAL023078, pursuant to the court's order at <a href="#">41</a> . (Edwards, S.) (Entered: 12/21/2011)
01/09/2012	<a href="#">43</a>	Joint MOTION Exempt Case from Mediation by American Civil Liberties Union of North Carolina, Eugene A Conti, Jr., Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher, Michael Robertson. (Attachments: # <a href="#">1</a> Exhibit A - Proposed Order) (Parker, Katherine) (Entered: 01/09/2012)
01/10/2012		Motion Submitted to Senior Judge James C. Fox: <a href="#">43</a> Joint MOTION Exempt Case from Mediation. (Edwards, S.) (Entered: 01/10/2012)
01/10/2012	<a href="#">44</a> <b>R</b>	ORDER granting <a href="#">43</a> Motion to Exempt Case from Mediation. Counsel is reminded to read the order in its entirety. Signed by Senior Judge James C. Fox on 1/10/2012. Copy to B. Horton in Raleigh via email. (Edwards, S.) (Entered: 01/10/2012)
06/19/2012	<a href="#">45</a>	Notice of Substitution of Counsel by Christopher Anderson Brook on behalf of American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher substituting for Katherine Lewis Parker (Brook, Christopher) (Entered: 06/19/2012)
06/19/2012	<a href="#">46</a>	NOTICE of Appearance by Christopher Anderson Brook on behalf of

		American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher (Brook, Christopher) (Entered: 06/19/2012)
07/31/2012	<a href="#">47</a>	MOTION for Summary Judgment by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Brook, Christopher) (Entered: 07/31/2012)
07/31/2012	<a href="#">48</a>	'REFILED ON 7/31/12 AT <a href="#">49</a> ' - Memorandum in Support regarding <a href="#">47</a> MOTION for Summary Judgment filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B) (Brook, Christopher) (Entered: 07/31/2012)
07/31/2012		NOTICE OF DEFICIENCY regarding <a href="#">48</a> Memorandum in Support. Failure to identify exhibits. Counsel is instructed to refile the document and comply with Section L(2)(b) of the Court's Electronic Policy and Procedure Manual. (Heath, D.) (Entered: 07/31/2012)
07/31/2012	<a href="#">49</a>	Memorandum in Support regarding <a href="#">47</a> MOTION for Summary Judgment filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Attachments: # <a href="#">1</a> Exhibit Exhibit A - Defendant Robertson's Response to First Request for Production of Documents, # <a href="#">2</a> Exhibit Exhibit B - Unpublished Opinion in Children First Foundation v. Martinez) (Brook, Christopher) (Entered: 07/31/2012)
08/20/2012	<a href="#">50</a>	MOTION for Extension of Time to File Response as to <a href="#">47</a> MOTION for Summary Judgment by Eugene A. Conti, Jr., Michael Robertson. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Dalton, Neil) (Entered: 08/20/2012)
08/20/2012		MOTION REFERRED to Julie A. Richards, Clerk of Court: <a href="#">50</a> MOTION for Extension of Time to File Response as to <a href="#">47</a> MOTION for Summary Judgment. (Edwards, S.) (Entered: 08/20/2012)
08/20/2012		TEXT ORDER granting <a href="#">50</a> Defendants' Motion for Extension of Time. Defendants' response to <a href="#">47</a> plaintiffs' motion for summary judgment is due September 20, 2012. Signed by Julie A. Richards, Clerk of Court, on 8/20/2012. (Richards, J.) (Entered: 08/20/2012)
09/20/2012	<a href="#">51</a>	RESPONSE to Motion regarding <a href="#">47</a> MOTION for Summary Judgment filed by Eugene A Conti, Jr., Michael Robertson. (Dalton, Neil) (Entered: 09/20/2012)
10/15/2012		Motion Submitted to Senior Judge James C. Fox: <a href="#">47</a> MOTION for Summary Judgment. (Edwards, S.) (Entered: 10/15/2012)
10/19/2012	<a href="#">52</a>	NOTICE of Hearing: Bench Trial set for the 12/3/2012 term at 10:00 AM in Wilmington - Courtroom 1 before Senior Judge James C. Fox. (Edwards, S.) (Entered: 10/19/2012)

10/19/2012	<a href="#">53</a>	Copy of Senior Judge James C. Fox's standing order of 1/14/2003 in regards to exhibits for trial. (Edwards, S.) (Entered: 10/19/2012)
10/22/2012	<a href="#">54</a>	AMENDED NOTICE of Hearing: Bench Trial set for the 12/3/2012 term at 10:00 AM in Wilmington - Courtroom 1 before Senior Judge James C. Fox. (Edwards, S.) (Entered: 10/22/2012)
10/24/2012	<a href="#">55</a>	NOTICE of Hearing: Pretrial Conference set for 11/27/2012 at 2:30 PM in Raleigh - 6th Floor Courtroom before US Magistrate Judge James E. Gates. (Edwards, S.) (Entered: 10/24/2012)
10/24/2012	<a href="#">56</a>	PRETRIAL CONFERENCE ORDER. Counsel is reminded to read the order in its entirety for critical deadlines and information. Signed by US Magistrate Judge James E. Gates on 10/23/2012. (Edwards, S.) (Entered: 10/24/2012)
10/29/2012	<a href="#">57</a>	NOTICE of Appearance by Katherine Lewis Parker on behalf of All Plaintiffs (Parker, Katherine) (Entered: 10/29/2012)
10/30/2012		NOTICE TO COUNSEL regarding <a href="#">57</a> Notice of Appearance. For future reference, counsel should flatten all fillable forms prior to efilng. (Heath, D.) (Entered: 10/30/2012)
10/31/2012	<a href="#">58</a>	Joint MOTION to Continue <i>Trial Date</i> by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Brook, Christopher) (Entered: 10/31/2012)
11/01/2012		Motion Submitted to Senior Judge James C. Fox: <a href="#">58</a> Joint MOTION to Continue <i>Trial Date</i> . (Edwards, S.) (Entered: 11/01/2012)
11/02/2012	<a href="#">59</a>	ORDER granting <a href="#">58</a> Motion to Continue the trial date and all associated pre-trial submissions and conferences. The date to be set later by the Court, if necessary, for a date no sooner than 60 days following the Court's ruling on the pending motion. Counsel is reminded to read the order in its entirety for further information. Signed by Senior Judge James C. Fox on 11/2/2012. (Edwards, S.) (Entered: 11/02/2012)
12/07/2012	<a href="#">60</a> <b>R</b>	ORDER granting <a href="#">47</a> Motion for Summary Judgment. Counsel is reminded to read the order in its entirety for further information. Signed by Senior Judge James C. Fox on 12/7/2012. (Edwards, S.) (Entered: 12/07/2012)
12/07/2012	<a href="#">61</a> <b>R</b>	JUDGMENT: IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiffs Motion for Summary Judgment is ALLOWED. It is hereby ordered that Defendants Eugene A. Conti, Michael Robertson and their officers, agents, and employees are permanently ENJOINED from implementing, enforcing or otherwise carrying out the program of administration provided by Session Law 2011-392 Sec.1(b1)(39), Sec. 4(a), Sec.5(b), Sec.7(b84)(House bill 289), or issuing the Choose Life plate. The Clerk of Court is DIRECTED to close this case. Signed by

		Susan Edwards, Deputy for Julie A. Richards, Clerk of Court on 12/7/2012. (Edwards, S.) (Entered: 12/07/2012)
12/18/2012	<a href="#">62</a>	MOTION for Attorney Fees <i>and Costs and Motion to Supplement</i> by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Brook, Christopher) (Entered: 12/18/2012)
12/18/2012	<a href="#">63</a>	Memorandum in Support regarding <a href="#">62</a> MOTION for Attorney Fees <i>and Costs and Motion to Supplement</i> filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Attachments: # <a href="#">1</a> Exhibit Detailed Time Records, # <a href="#">2</a> Exhibit Bill of Costs and Supporting Documentation, # <a href="#">3</a> Exhibit Declaration of Katherine Lewis Parker, # <a href="#">4</a> Exhibit Declaration of Christopher A. Brook, # <a href="#">5</a> Exhibit Declarations of Jonathan Sasser and Mark Sigmon, # <a href="#">6</a> Exhibit Laffey Matrix) (Brook, Christopher) (Entered: 12/18/2012)
12/19/2012	<a href="#">64</a>	Proposed Order <i>Granting Plaintiffs' Motion for Attorneys' Fees and Costs and Motion to Supplement</i> filed by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Brook, Christopher) (Entered: 12/19/2012)
01/03/2013	<a href="#">65</a>	MOTION to Stay regarding <a href="#">62</a> MOTION for Attorney Fees <i>and Costs and Motion to Supplement</i> by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. (Dalton, Neil) (Entered: 01/03/2013)
01/04/2013		Motion Submitted to Senior Judge James C. Fox: <a href="#">65</a> MOTION to Stay regarding <a href="#">62</a> MOTION for Attorney Fees <i>and Costs and Motion to Supplement</i> . (Edwards, S.) (Entered: 01/04/2013)
01/04/2013	<a href="#">66</a>	<b>'REFILED ON 1/7/2013 AT 70 '</b> - NOTICE OF APPEAL as to <a href="#">60</a> <b>R</b> Order on Motion for Summary Judgment by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. Filing fee \$ 455, receipt number RAL029547. Appeal Record due by 1/7/2013. (Dalton, Neil) (Entered: 01/04/2013)
01/04/2013	<a href="#">67</a>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals regarding <a href="#">66</a> Notice of Appeal by Eugene A Conti, Jr., Michael Gilchrist and Michael Robertson. (Fogle, L.) (Entered: 01/04/2013)
01/07/2013	<a href="#">68</a>	US Court of Appeals Case Number 13-1030, Joy Hargett Moore, Case Manager, for <a href="#">66</a> Notice of Appeal filed by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. (Tripp, S.) (Entered: 01/07/2013)
01/07/2013	<a href="#">69</a> <b>R</b>	ORDER granting <a href="#">65</a> Motion to Stay the Plaintiff's Motion for Attorneys' fees and costs pending appeal at <a href="#">62</a> . Signed by Senior Judge James C. Fox on 1/7/2013. (Edwards, S.) (Entered: 01/07/2013)
01/07/2013		NOTICE OF DEFICIENCY regarding: <a href="#">66</a> Notice of Appeal. The document contains an incorrect signature block. The signature block does not reflect the filing attorneys signature either by /s/ or a graphical

		signature as required by Section J of the CM/ECF Policy Manual. Counsel is directed to re-file the document with the correct signature block. (Edwards, S.) (Entered: 01/07/2013)
01/07/2013	<a href="#">70</a>	CORRECTED NOTICE OF APPEAL as to <a href="#">60</a> <b>R</b> Order on Motion for Summary Judgment by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. Filing fee \$ 455, receipt number RAL029547. Appeal Record due by 1/7/2013. (Dalton, Neil) Modified on 1/7/2013 to correct the naming convention (Edwards, S.). (Entered: 01/07/2013)
01/07/2013		Notification to Appeals Court of Filing regarding <a href="#">70</a> CORRECTED Notice of Appeal (to correct the signature block only of this document), filed by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. (Edwards, S.) (Entered: 01/07/2013)
01/18/2013	<a href="#">71</a>	NOTICE of Hearing: Bench Trial set for the 3/11/2013 term at 10:00 AM in Wilmington - Courtroom 1 before Senior Judge James C. Fox. (Edwards, S.) (Entered: 01/18/2013)
01/18/2013	<a href="#">72</a>	Copy of Senior Judge James C. Fox's standing order of 1/14/2003 in regards for trial, sent to the parties. (Edwards, S.) (Entered: 01/18/2013)
01/18/2013		NOTICE TO COUNSEL regarding: <a href="#">71</a> Notice of Hearing, <a href="#">72</a> Docket Annotation. Please disregard these entries as they were inadvertently docketed in this case. No hearing have been set in this matter. (Edwards, S.) (Entered: 01/18/2013)
02/11/2014	<a href="#">73</a>	Published Opinion from Fourth Circuit Court of Appeals - Affirmed by published opinion. (Tripp, S.) (Entered: 02/13/2014)
02/11/2014	<a href="#">74</a>	US Court of Appeals Judgment as to <a href="#">70</a> Notice of Appeal, filed by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson - In accordance with the decision of this court, the judgment of the district court is affirmed. This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41. (Tripp, S.) (Entered: 02/13/2014)
02/14/2014		Submitted the documents at <a href="#">73</a> and <a href="#">74</a> to Senior Judge James C. Fox for his review. (Edwards, S.) (Entered: 02/14/2014)
02/25/2014	<a href="#">75</a>	Supplemental MOTION for Attorney Fees <i>and Costs</i> by American Civil Liberties Union of North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Attachments: # <a href="#">1</a> Exhibit Detailed Time Records, # <a href="#">2</a> Exhibit Supplemental Declaration of Katherine Lewis Parker, # <a href="#">3</a> Exhibit Supplemental Declaration of Christopher A. Brook, # <a href="#">4</a> Exhibit Supplemental Declaration of Jonathan D. Sasser, # <a href="#">5</a> Exhibit Bill of Costs, # <a href="#">6</a> Text of Proposed Order Proposed Order) (Brook, Christopher) (Entered: 02/25/2014)
02/25/2014	<a href="#">76</a>	Memorandum in Support regarding <a href="#">75</a> Supplemental MOTION for Attorney Fees <i>and Costs</i> filed by American Civil Liberties Union of

		North Carolina, Dean Debnam, Christopher Heaney, Susan Holliday, Maria Magher. (Brook, Christopher) (Entered: 02/25/2014)
03/05/2014	<a href="#">77</a>	MANDATE of US Court of Appeals (certified copy) as to <a href="#">70</a> Notice of Appeal, filed by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson - The judgment of this court, entered 02/11/14, takes effect today. This constitutes the formal mandate of this court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure. (Tripp, S.) (Entered: 03/05/2014)
03/05/2014		Submitted the Mandate at <a href="#">77</a> to Senior Judge James C. Fox. (Edwards, S.) (Entered: 03/05/2014)
03/06/2014	<a href="#">78</a>	MOTION to Stay <i>Plaintiff's Supplemental Motion for Attorneys' Fees and Costs and Motions to Supplement Pending Appeal</i> by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order) (Dalton, Neil) (Entered: 03/06/2014)
03/06/2014		Motion Submitted to Senior Judge James C. Fox: <a href="#">78</a> MOTION to Stay <i>Plaintiff's Supplemental Motion for Attorneys' Fees and Costs and Motions to Supplement Pending Appeal</i> . (Edwards, S.) (Entered: 03/06/2014)
03/10/2014	<a href="#">79</a> <b>R</b>	ORDER denying as moot <a href="#">62</a> Motion for Attorney Fees and Costs and Motion to Supplement. Defendants' unopposed <a href="#">78</a> Motion to Stay is allowed, and the Plaintiffs' <a href="#">75</a> Motion for Attorney Fees and Costs is stayed. The parties are reminded to read the order in its entirety for critical deadlines. Signed by Senior Judge James C. Fox on 3/10/2014. (Grady, B.) (Entered: 03/10/2014)
03/25/2014	<a href="#">80</a>	ORDER of US Court of Appeals as to <a href="#">70</a> Notice of Appeal, filed by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson. Costs for these proceedings are taxed and certified in the amount of \$85.20, as itemized in the accompanying bill of costs. The costs taxed shall be added to this court's mandate in accordance with Fed. R. App. P. 39(d). (Fogle, L.) (Entered: 03/25/2014)
06/29/2015	<a href="#">81</a>	Appeal Remark regarding <a href="#">70</a> Notice of Appeal - Letter from the Supreme Court of the United States to the United States Court of Appeals for the Fourth Circuit. The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of Walker v. Texas Div., Sons of Confederate Veterans, Inc., 576 U.S. ____ (2015). (Tripp, S.) (Entered: 06/29/2015)
03/10/2016	<a href="#">82</a>	Published Opinion from Fourth Circuit Court of Appeals reversing and REMANDING case to the dsitric court with instructions regarding <a href="#">70</a> Notice of Appeal. (Foell, S.) (Entered: 03/10/2016)
03/10/2016	<a href="#">83</a>	US Court of Appeals Judgment as to <a href="#">70</a> Notice of Appeal. The

		Supreme Court of the US has remanded this case to the US Court of Appeals for further action. In accordance with the decision of the US Court of Appeals, the judgment of the District Court is reversed and this case is REMANDED to the District Court for further consideration. The judgment shall take effect when the mandate issues. (Foell, S.) (Entered: 03/10/2016)
03/10/2016		Submitted the Opinion <a href="#">82</a> and the Judgment at <a href="#">83</a> to Senior Judge James C. Fox for his review. (Edwards, S.) (Entered: 03/10/2016)
04/01/2016	<a href="#">84</a>	MANDATE of US Court of Appeals (certified copy) as to <a href="#">70</a> Notice of Appeal, filed by Eugene A Conti, Jr., Michael Gilchrist, Michael Robertson - The judgment of this court, entered 02/11/2016, takes effect today. This constitutes the formal mandate of this court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure. (Tripp, S.) (Entered: 04/01/2016)
04/06/2016	<a href="#">85</a> <b>R</b>	ORDER finding as moot <a href="#">75</a> Motion for Attorney Fees. The Clerk of Court is DIRECTED to re-open this case and enter judgment in favor of the defendants. Signed by Senior Judge James C. Fox on 4/6/2016. (Grady, B.) (Entered: 04/06/2016)
04/06/2016	<a href="#">86</a>	JUDGMENT - IT IS ORDERED, ADJUDGED AND DECREED that the Clerk of Court is DIRECTED, in accordance with the mandate issued by the United States Court of Appeals for the Fourth Circuit, to re-open this case and enter judgment in favor of the defendants. Plaintiff's Motion for Attorney Fees and Costs [DE-75] is DISMISSED as moot. Signed by Deputy Clerk Jacqueline B. Grady on behalf of Julie Richards Johnston, Clerk of Court, on 4/6/2016. (Grady, B.) (Entered: 04/06/2016)

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