

**U.S. District Court
North Carolina Middle District (NCMD)
CIVIL DOCKET FOR CASE #: 1:20-cv-00613-CCE-LPA**

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE et al v.
PETERMAN et al
Assigned to: JUDGE CATHERINE C. EAGLES
Referred to: MAG/JUDGE L. PATRICK AULD
Cause: 42:1983 Civil Rights Act

Date Filed: 07/02/2020
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

**NATIONAL ASSOCIATION FOR
THE ADVANCEMENT OF
COLORED PEOPLE**
Alamance County Branch

represented by **KRISTI L. GRAUNKE**
ACLU OF NORTH CAROLINA
POB 28004
RALEIGH, NC 27611
919-354-5066
Email: kgraunke@acluofnc.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES
BROCK PAYNE & MEECE, PA
3130 HOPE VALLEY RD.
DURHAM, NC 27707
919-401-5913
Fax: 919-419-1018
Email: scott.holmes@bpm-law.com
ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL
ACLU OF NORTH CAROLINA
POB 28004
RALEIGH, NC 27611
919-307-9242
Email: dsiegel@acluofnc.org
ATTORNEY TO BE NOTICED

ELIZABETH HADDIX
LAWYERS COMMITTEE FOR
CIVIL RIGHTS UNDER LAW
REGIONAL OFFICE
POB 956
CARRBORO, NC 27510
919-521-8333

Email:
ehaddix@lawyerscommittee.org
ATTORNEY TO BE NOTICED

EMERSON J. SYKES
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
125 BROAD ST., 18TH FLOOR
NEW YORK, NY 10004-2400
646-885-8331
Email: esykes@aclu.org
ATTORNEY TO BE NOTICED

MARK DOROSIN
LAWYERS' COMMITTEE FOR
CIVIL RIGHTS
REGIONAL OFFICE
PO BOX 956
CARRBORO, NC 27510
919-261-3668
Email:
mdorosin@lawyerscommittee.org
ATTORNEY TO BE NOTICED

VERA EIDELMAN
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
125 BROAD ST., 18TH FLOOR
NEW YORK, NY 10004-2400
410-707-3733
Fax: 212-549-2564
Email: veidelman@aclu.org
ATTORNEY TO BE NOTICED

Plaintiff

TAMARA O. KERSEY

represented by **KRISTI L. GRAUNKE**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES
(See above for address)
ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL
(See above for address)

ATTORNEY TO BE NOTICED

ELIZABETH HADDIX

(See above for address)

ATTORNEY TO BE NOTICED

EMERSON J. SYKES

(See above for address)

ATTORNEY TO BE NOTICED

MARK DOROSIN

(See above for address)

ATTORNEY TO BE NOTICED

VERA EIDELMAN

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

COLLEEN TENAE TURNER

represented by **KRISTI L. GRAUNKE**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES

(See above for address)

ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL

(See above for address)

ATTORNEY TO BE NOTICED

ELIZABETH HADDIX

(See above for address)

ATTORNEY TO BE NOTICED

EMERSON J. SYKES

(See above for address)

ATTORNEY TO BE NOTICED

MARK DOROSIN

(See above for address)

ATTORNEY TO BE NOTICED

VERA EIDELMAN

(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

TERENCE COLIN DODD

represented by **KRISTI L. GRAUNKE**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES
(See above for address)
ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL
(See above for address)
ATTORNEY TO BE NOTICED

ELIZABETH HADDIX
(See above for address)
ATTORNEY TO BE NOTICED

EMERSON J. SYKES
(See above for address)
ATTORNEY TO BE NOTICED

MARK DOROSIN
(See above for address)
ATTORNEY TO BE NOTICED

VERA EIDELMAN
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

DESTINY CLARKE

represented by **KRISTI L. GRAUNKE**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES
(See above for address)
ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL
(See above for address)
ATTORNEY TO BE NOTICED

ELIZABETH HADDIX
(See above for address)
ATTORNEY TO BE NOTICED

EMERSON J. SYKES
(See above for address)
ATTORNEY TO BE NOTICED

MARK DOROSIN
(See above for address)
ATTORNEY TO BE NOTICED

VERA EIDELMAN
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

NERISSA RIVERA

represented by **KRISTI L. GRAUNKE**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES
(See above for address)
ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL
(See above for address)
ATTORNEY TO BE NOTICED

ELIZABETH HADDIX
(See above for address)
ATTORNEY TO BE NOTICED

EMERSON J. SYKES
(See above for address)
ATTORNEY TO BE NOTICED

MARK DOROSIN
(See above for address)
ATTORNEY TO BE NOTICED

VERA EIDELMAN
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

ADAM ROSE

represented by **KRISTI L. GRAUNKE**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES
(See above for address)
ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL
(See above for address)
ATTORNEY TO BE NOTICED

ELIZABETH HADDIX
(See above for address)
ATTORNEY TO BE NOTICED

EMERSON J. SYKES
(See above for address)
ATTORNEY TO BE NOTICED

MARK DOROSIN
(See above for address)
ATTORNEY TO BE NOTICED

VERA EIDELMAN
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

ANNIE SIMPSON

represented by **KRISTI L. GRAUNKE**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES
(See above for address)
ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL
(See above for address)
ATTORNEY TO BE NOTICED

ELIZABETH HADDIX
(See above for address)

ATTORNEY TO BE NOTICED

EMERSON J. SYKES

(See above for address)

ATTORNEY TO BE NOTICED

MARK DOROSIN

(See above for address)

ATTORNEY TO BE NOTICED

VERA EIDELMAN

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

GREGORY B. DRUMWRIGHT

represented by **KRISTI L. GRAUNKE**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

CURTIS SCOTT HOLMES

(See above for address)

ATTORNEY TO BE NOTICED

DANIEL K. SIEGEL

(See above for address)

ATTORNEY TO BE NOTICED

ELIZABETH HADDIX

(See above for address)

ATTORNEY TO BE NOTICED

EMERSON J. SYKES

(See above for address)

ATTORNEY TO BE NOTICED

MARK DOROSIN

(See above for address)

ATTORNEY TO BE NOTICED

VERA EIDELMAN

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

JERRY PETERMAN

*in his official capacity as Mayor of
the City of Graham, North Carolina*

represented by **ANTHONY JOSEPH BILLER**

Michael Best & Friedrich LLP
Atrium at Blue Ridge
2501 Blue Ridge Road
Suite 390
Raleigh, NC 27607
984-220-8750
Fax: 877-398-5240
Email: ajbiller@michaelbest.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ADAM P. BANKS

MICHAEL BEST & FRIEDRICH
LLP
ATRIUM AT BLUE RIDGE
2501 BLUE RIDGE ROAD, SUITE
390
RALEIGH, NC 27607
984-220-8750
Fax: 877-398-5240
Email: apbanks@michaelbest.com
ATTORNEY TO BE NOTICED

JAY HARDIN FERGUSON

THOMAS FERGUSON &
MULLINS, L. L. P.
119 E. MAIN ST.
DURHAM, NC 27701
919-682-5648
Fax: 919-688-7251
Email: ferguson@tfblawyers.com
TERMINATED: 07/14/2020
ATTORNEY TO BE NOTICED

Defendant

FRANKIE MANESS

*in his official capacity as Graham
City Manager*

represented by **ANTHONY JOSEPH BILLER**

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

ADAM P. BANKS

(See above for address)
ATTORNEY TO BE NOTICED

JAY HARDIN FERGUSON
(See above for address)
TERMINATED: 07/14/2020
ATTORNEY TO BE NOTICED

Defendant

CHIP TURNER
*in his official capacity as Mayor Pro-
Tem of the City*

represented by **ANTHONY JOSEPH BILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ADAM P. BANKS
(See above for address)
ATTORNEY TO BE NOTICED

JAY HARDIN FERGUSON
(See above for address)
TERMINATED: 07/14/2020
ATTORNEY TO BE NOTICED

Defendant

MELODY WIGGINS
*in her official capacity as Graham
City Council Member*

represented by **ANTHONY JOSEPH BILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ADAM P. BANKS
(See above for address)
ATTORNEY TO BE NOTICED

JAY HARDIN FERGUSON
(See above for address)
TERMINATED: 07/14/2020
ATTORNEY TO BE NOTICED

Defendant

JENNIFER TALLEY
*in her official capacity as Graham
City Council Member*

represented by **ANTHONY JOSEPH BILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ADAM P. BANKS
(See above for address)
ATTORNEY TO BE NOTICED

JAY HARDIN FERGUSON

(See above for address)
TERMINATED: 07/14/2020
ATTORNEY TO BE NOTICED

Defendant

RICKY HALL
*in his official capacity as Graham
City Council Member*

represented by **ANTHONY JOSEPH BILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ADAM P. BANKS
(See above for address)
ATTORNEY TO BE NOTICED

JAY HARDIN FERGUSON
(See above for address)
TERMINATED: 07/14/2020
ATTORNEY TO BE NOTICED

Defendant

JEFFREY PRICHARD
*in his official capacity as Chief of the
Graham Police Department*

represented by **ANTHONY JOSEPH BILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ADAM P. BANKS
(See above for address)
ATTORNEY TO BE NOTICED

JAY HARDIN FERGUSON
(See above for address)
TERMINATED: 07/14/2020
ATTORNEY TO BE NOTICED

Defendant

TERRY S. JOHNSON
*in his official capacity as Sheriff of
Alamance County*

represented by **WILLIAM L. HILL**
FRAZIER HILL & FURY, RLLP
POD 1559
GREENSBORO, NC 27402
336-378-7787
Fax: 336-274-7358
Email: whill@frazierlawnc.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CLYDE BALLINGER

ALBRIGHT
ALAMANCE CO. ATTORNEY'S
OFFICE
PROSECUTORIAL DISTRICT 15-
A
124 W. ELM ST.
GRAHAM, NC 27253
336-570-4046
Fax: 336-570-6788
Email: clyde.albright@alamance-
nc.com
ATTORNEY TO BE NOTICED

Defendant

EDDIE BOSWELL
*in his official capacity as Alamance
County Commissioner*

represented by **WILLIAM L. HILL**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**CLYDE BALLINGER
ALBRIGHT**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

STEVE CARTER
*in his official capacity as Alamance
County Commissioner*

represented by **WILLIAM L. HILL**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**CLYDE BALLINGER
ALBRIGHT**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

BILL LASHLEY
*in his official capacity as Alamance
County Commissioner*

represented by **WILLIAM L. HILL**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**CLYDE BALLINGER
ALBRIGHT**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

AMY SCOTT GALEY
*in her official capacity as Alamance
County Commissioner*

represented by **WILLIAM L. HILL**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**CLYDE BALLINGER
ALBRIGHT**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

TIM SUTTON
*in his official capacity as Alamance
County Commissioner*

represented by **WILLIAM L. HILL**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**CLYDE BALLINGER
ALBRIGHT**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

BRYAN HAGOOD
*in his official capacity as Alamance
County Manager*

represented by **WILLIAM L. HILL**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**CLYDE BALLINGER
ALBRIGHT**
(See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|--------------------------|---|
| 07/02/2020 | <u>1</u> | COMPLAINT against All Plaintiffs (Filing fee \$ 400 receipt number 0418-2836947.), filed by Nerissa Rivera, Colleen Tenae Turner, Adam Rose, Gregory B. Drumwright, Tamara O Kersey, Annie Simpson, Terence Colin Dodd, National Association for the Advancement of Colored People, Destiny Clarke.(GRAUNKE, KRISTI) (Entered: 07/02/2020) |
| 07/02/2020 | <u>2</u> | MOTION for Temporary Restraining Order and Preliminary Injunction by Destiny Clarke, Terence Colin Dodd, Gregory B. Drumwright, Tamara O Kersey, National Association for the Advancement of Colored People, Nerissa Rivera, Adam Rose, Annie Simpson, Colleen Tenae Turner. Response to Motion due by |

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| | | 7/23/2020 (Attachments: # 1 Affidavit NAACP- Barrett Brown, # 2 Affidavit Tamara Kersey, # 3 Affidavit Colleen Tenae Turner, # 4 Affidavit Terence Colin Dodd, # 5 Affidavit Destiny Clarke, # 6 Affidavit Nerissa Rivera, # 7 Affidavit Adam Rose, # 8 Affidavit Annie Simpson, # 9 Affidavit Gregory Drumwright, # 10 Text of Proposed Order Temporary Restraining Order)(GRAUNKE, KRISTI) (Entered: 07/03/2020) |
| 07/03/2020 | 3 | BRIEF re 2 MOTION for Temporary Restraining Order <i>in Support of Temporary Restraining Order and Preliminary Injunction.</i> (GRAUNKE, KRISTI) (Entered: 07/03/2020) |
| 07/03/2020 | 4 | NOTICE of Appearance by attorney CURTIS SCOTT HOLMES on behalf of Plaintiffs Destiny Clarke, Terence Colin Dodd, Gregory B. Drumwright, Tamara O Kersey, National Association for the Advancement of Colored People, Nerissa Rivera, Adam Rose, Annie Simpson, Colleen Tenae Turner (HOLMES, CURTIS) (Entered: 07/03/2020) |
| 07/03/2020 | 5 | NOTICE of Appearance by attorney VERA EIDELMAN on behalf of Plaintiffs Destiny Clarke, Terence Colin Dodd, Gregory B. Drumwright, Tamara O Kersey, National Association for the Advancement of Colored People, Nerissa Rivera, Adam Rose, Annie Simpson, Colleen Tenae Turner (EIDELMAN, VERA) (Entered: 07/03/2020) |
| 07/03/2020 | 6 | NOTICE of Appearance by attorney DANIEL K. SIEGEL on behalf of Plaintiffs Destiny Clarke, Terence Colin Dodd, Gregory B. Drumwright, Tamara O Kersey, National Association for the Advancement of Colored People, Nerissa Rivera, Adam Rose, Annie Simpson, Colleen Tenae Turner (SIEGEL, DANIEL) (Entered: 07/03/2020) |
| 07/03/2020 | 7 | NOTICE of Appearance by attorney MARK DOROSIN on behalf of Plaintiffs Destiny Clarke, Terence Colin Dodd, Gregory B. Drumwright, Tamara O Kersey, National Association for the Advancement of Colored People, Nerissa Rivera, Adam Rose, Annie Simpson, Colleen Tenae Turner (DOROSIN, MARK) (Main Document 7 replaced on 7/6/2020 with corrected PDF document) (Garland, Leah) (Entered: 07/03/2020) |

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| 07/03/2020 | | Case Assigned to JUDGE CATHERINE C. EAGLES and MAG/JUDGE L. PATRICK AULD. (Powell, Gloria) (Entered: 07/03/2020) |
| 07/03/2020 | | Motions Submitted: 2 MOTION for Temporary Restraining Order and Preliminary Injunction to JUDGE CATHERINE C. EAGLES. (Powell, Gloria) (Entered: 07/03/2020) |
| 07/03/2020 | 8 | NOTICE by Destiny Clarke, Terence Colin Dodd, Gregory B. Drumwright, Tamara O Kersey, National Association for the Advancement of Colored People, Nerissa Rivera, Adam Rose, Annie Simpson, Colleen Tenae Turner re 2 MOTION for Temporary Restraining Order of <i>Supplemental Exhibit</i> (Attachments: # 1 Exhibit 1- Demand Letter)(GRAUNKE, KRISTI) (Entered: 07/03/2020) |
| 07/03/2020 | | ELECTRONIC NOTICE of Hearing on Motion for Temporary Restraining set for 7/6/2020 11:00 AM in Greensboro Courtroom #3 before JUDGE CATHERINE C. EAGLES. (Defendants' Attorneys Ward, Coleman, and Albright notified via separate email.)(Powell, Gloria) (Entered: 07/03/2020) |
| 07/03/2020 | | ELECTRONIC NOTICE OF PUBLIC ACCESS LINE re Hearing on Motion for Temporary Restraining Order set for 7/6/2020 11:00 AM: To facilitate public access to the hearing while avoiding the public health risks associated with being in the courthouse, the parties and public are invited to listen to the proceedings by calling (877) 336-1831 and the Access Code is 9793378, which will provide a live audio feed. Recording of the proceedings is prohibited. Any attorney who will address the Court on behalf of a party must appear in person. (Powell, Gloria) (Entered: 07/03/2020) |
| 07/05/2020 | 9 | RESPONSE filed by Defendants RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS re 2 MOTION for Temporary Restraining Order filed by National Association for the Advancement of Colored People, Annie Simpson, Adam Rose, Colleen Tenae Turner, Tamara O Kersey, Terence Colin Dodd, Gregory B. Drumwright, Nerissa Rivera, Destiny Clarke filed by RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. Replies due by 7/20/2020 (FERGUSON, JAY) (Entered: 07/05/2020) |
| 07/05/2020 | 10 | NOTICE of Appearance by attorney JAY HARDIN FERGUSON on behalf of Defendants RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP |

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| | | TURNER, MELODY WIGGINS (FERGUSON, JAY) (Entered: 07/05/2020) |
| 07/05/2020 | | Notice of Rescheduling In Person to Video Conference Hearing: In the interests of public and individual health, the July 6 hearing at 11 am will be by video conference via Zoom. Counsel will receive a link. The public access line to listen to the audio and to see the video of the proceedings will be available in Courtroom 3 of the Greensboro courthouse. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court. (Powell, Gloria) (Entered: 07/05/2020) |
| 07/05/2020 | 11 | Consent MOTION for Temporary Restraining Order by Destiny Clarke, Terence Colin Dodd, Gregory B. Drumwright, Tamara O Kersey, National Association for the Advancement of Colored People, Nerissa Rivera, Adam Rose, Annie Simpson, Colleen Tenae Turner. Response to Motion due by 7/27/2020 (Attachments: # 1 Text of Proposed Order Consent Temporary Restraining Order)(GRAUNKE, KRISTI) (Entered: 07/05/2020) |
| 07/06/2020 | | ELECTRONIC NOTICE of cancellation of Hearing for Temporary Restraining Order. (Sanders, Marlene) (Entered: 07/06/2020) |
| 07/06/2020 | | Motions Submitted: 11 Consent MOTION for Temporary Restraining Order to JUDGE CATHERINE C. EAGLES. (Sanders, Marlene) (Entered: 07/06/2020) |
| 07/06/2020 | 12 | ***FILED IN ERROR***NOTICE by National Association for the Advancement of Colored People (HADDIX, ELIZABETH) Modified on 7/6/2020 to mark as Filed in Error and remove from view. Attorney instructed to properly re-file. (Garland, Leah) (Entered: 07/06/2020) |
| 07/06/2020 | 13 | NOTICE of Appearance by attorney ELIZABETH MCLAUGHLIN HADDIX on behalf of Plaintiffs DESTINY CLARKE, TERENCE COLIN DODD, GREGORY B. DRUMWRIGHT, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, ADAM ROSE, ANNIE SIMPSON, COLLEEN TENAE TURNER (HADDIX, ELIZABETH) (Entered: 07/06/2020) |

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| 07/06/2020 | | CASE REFERRED to Mediation pursuant to Local Rule 83.9b of the Rules of Practice and Procedure of this Court. Please go to our website under Attorney Information for a list of mediators which must be served on all parties. (Hicks, Samantha) (Entered: 07/06/2020) |
| 07/06/2020 | 14 | NOTICE of Appearance by attorney EMERSON J. SYKES on behalf of Plaintiffs DESTINY CLARKE, TERENCE COLIN DODD, GREGORY B. DRUMWRIGHT, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, ADAM ROSE, ANNIE SIMPSON, COLLEEN TENAE TURNER (SYKES, EMERSON) (Main Document 14 replaced on 7/6/2020) (Hicks, Samantha). (Entered: 07/06/2020) |
| 07/06/2020 | 15 | CONSENT TEMPORARY RESTRAINING ORDER signed by JUDGE CATHERINE C. EAGLES on 7/6/2020; Plaintiffs' motion for a temporary restraining order is GRANTED. The Graham Defendants and Defendant Johnson are hereby RESTRAINED from enforcing the Ordinance and the Ordinance shall have no force or effect pending further orders of the Court. In the Court's discretion, the bond requirement under Rule 65(c) is waived. This Order shall be in effect for 14 days. Pursuant to Fed. R. Civ. P. 65(d)(2), Plaintiffs shall provide Defendants with notice of this Order and Defendants shall immediately provide Notice to their officers, attorneys, agents, employees, and other persons who are in active concert or participation with them. The Court will continue to review Plaintiffs' Motion for a Preliminary Injunction, and a hearing on that motion will be held by the undersigned on July 20, 2020 at 9:00 a.m. (Hicks, Samantha) (Entered: 07/06/2020) |
| 07/06/2020 | 16 | NOTICE of Appearance by attorney WILLIAM L. HILL on behalf of Defendant TERRY S. JOHNSON (HILL, WILLIAM) (Entered: 07/06/2020) |
| 07/06/2020 | 17 | NOTICE of Appearance by attorney WILLIAM L. HILL on behalf of Defendant BRYAN HAGOOD (HILL, WILLIAM) (Entered: 07/06/2020) |
| 07/06/2020 | | Set/Reset Deadlines/Hearings: Preliminary Injunction Hearing set for 7/20/2020 09:00 AM in Greensboro Courtroom #3 before JUDGE CATHERINE C. EAGLES. (Hicks, Samantha) (Entered: 07/06/2020) |
| 07/07/2020 | 18 | STANDARD ORDER for civil cases proceeding before JUDGE CATHERINE C. EAGLES. (Sanders, Marlene) (Entered: 07/07/2020) |
| 07/10/2020 | | TEXT ORDER issued by JUDGE CATHERINE C. EAGLES: The Court anticipates resolving the pending motion for preliminary |

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| | | injunction on the record without an evidentiary hearing. Briefs and evidence in opposition are due by 5:00 p.m. July 15, 2020, and any reply brief and rebuttal evidence is due by noon on July 17, 2020. The hearing on July 20, 2020, will be conducted via video conference and counsel will receive a link. Public access method will be set by later order. (Sanders, Marlene) (Entered: 07/10/2020) |
| 07/11/2020 | 19 | NOTICE of Appearance by attorney ANTHONY JOSEPH BILLER on behalf of Defendants RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS (BILLER, ANTHONY) (Entered: 07/11/2020) |
| 07/13/2020 | 20 | MOTION to Withdraw as Attorney JAY HARDIN FERGUSON <i>and Robert M. Ward</i> by on behalf of RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. Responses due by 8/3/2020 (Attachments: # 1 Text of Proposed Order) (FERGUSON, JAY) (Entered: 07/13/2020) |
| 07/13/2020 | | Motions Submitted: 20 MOTION to Withdraw as Attorney JAY HARDIN FERGUSON <i>and Robert M. Ward</i> to JUDGE CATHERINE C. EAGLES. (Sanders, Marlene) (Entered: 07/13/2020) |
| 07/14/2020 | 21 | ORDER signed by JUDGE CATHERINE C. EAGLES on 7/14/2020; that the motion to withdraw, Doc. 20 , is GRANTED and Robert M. Ward and Jay H. Ferguson are relieved of any further responsibility in this case. (Sheets, Jamie) (Entered: 07/14/2020) |
| 07/14/2020 | | Electronic Notice to all parties: Hearing regarding Motion for Temporary Restraining Order 2 RESCHEDULED to 7/20/20 at 10:30 a.m., will be conducted via video conference and counsel will receive a link. Public access will be set out later. (Sanders, Marlene) (Entered: 07/14/2020) |
| 07/14/2020 | | Reset Hearings: Motion for Temporary Restraining Order 2 Hearing RESET for 7/20/20 10:30 AM in Greensboro Courtroom #3 before JUDGE CATHERINE C. EAGLES. (Sanders, Marlene) (Entered: 07/14/2020) |
| 07/15/2020 | | ELECTRONIC NOTICE OF PUBLIC ACCESS LINE re Hearing on Motion for Preliminary Injunction set for 7/20/20 at 10:30 AM: To facilitate public access to the hearing while avoiding the public health risks associated with being in the courthouse, the parties and public are invited to listen to the proceedings by calling (877) 336-1831 and the Access Code is 9793378, which will provide a live audio feed. |

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| | | Recording of the proceedings is prohibited. (Sanders, Marlene) (Entered: 07/15/2020) |
| 07/15/2020 | 22 | RESPONSE in Opposition re 2 MOTION for Temporary Restraining Order filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, TAMARA O. KERSEY, TERENCE COLIN DODD, COLLEEN TENAE TURNER, ADAM ROSE, DESTINY CLARKE, GREGORY B. DRUMWRIGHT, NERISSA RIVERA, ANNIE SIMPSON filed by TERRY S. JOHNSON. Replies due by 7/29/2020 (Attachments: # 1 Exhibit A - Declaration of Bryan Hagood, # 2 Exhibit B - Declaration of Lt. Scott Gaither, # 3 Exhibit C - Repeal Ordinance)(HILL, WILLIAM) (Entered: 07/15/2020) |
| 07/15/2020 | 23 | WITHDRAWAL of Motion by Plaintiff NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE re 2 MOTION for Temporary Restraining Order filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, TAMARA O. KERSEY, TERENCE COLIN DODD, COLLEEN TENAE TURNER, ADAM ROSE, DESTINY CLARKE, GREGORY B. DRUMWRIGHT, NERISSA RIVERA, ANNIE SIMPSON (HADDIX, ELIZABETH) (Entered: 07/15/2020) |
| 07/16/2020 | | CASE REFERRED RE: 23 Withdrawal of Motion, to JUDGE CATHERINE C. EAGLES (Sanders, Marlene) (Entered: 07/16/2020) |
| 07/16/2020 | 24 | ORDER signed by JUDGE CATHERINE C. EAGLES on 7/16/2020; The plaintiffs have withdrawn their motion for temporary restraining order and preliminary injunction. Doc. 2 , without prejudice, with the defendants' consent. Good cause having been shown, the parties' motion, Doc. 23 , is GRANTED, and the hearing for July 20, 2020 is cancelled. (Sheets, Jamie) (Entered: 07/16/2020) |
| 07/17/2020 | 25 | Summons Issued as to All Defendants. (Attachments: # 1 Summons - FRANKIE MANESS, # 2 Summons - CHIP TURNER, # 3 Summons - MELODY WIGGINS, # 4 Summons - JENNIFER TALLEY, # 5 Summons - RICKY HALL, # 6 Summons - JEFFREY PRICHARD, # 7 Summons - SHERIFF TERRY S. JOHNSON, # 8 Summons - BRYAN HAGOOD) (Hicks, Samantha) (Entered: 07/17/2020) |
| 07/17/2020 | 26 | Notice of Right to Consent. Counsel shall serve the attached form on all parties. (Attachments: # 1 Consent Form) (Hicks, Samantha) (Entered: 07/17/2020) |

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| 07/17/2020 | 27 | <p>AMENDED COMPLAINT against defendant All Defendants, filed by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. (Attachments: # 1</p> <p>Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4</p> <p>Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16) (HADDIX, ELIZABETH) (Entered: 07/17/2020)</p> |
| 07/20/2020 | 28 | <p>Summons Issued as to EDDIE BOSWELL, STEVE CARTER, BILL LASHLEY, AMY SCOTT GALEY, TIM SUTTON. (Attachments: # 1 Summons - Steve Carter, # 2 Summons - Bill Lashley, # 3 Summons - Amy Scott Galey, # 4 Summons - Tim Sutton) (Sheets, Jamie) (Entered: 07/20/2020)</p> |
| 07/21/2020 | 29 | <p>WAIVER OF SERVICE of SUMMONS by ADAM ROSE, NERISSA RIVERA, COLLEEN TENAE TURNER, ANNIE SIMPSON. RICKY HALL waiver sent on 7/17/2020, answer due 9/15/2020. (HADDIX, ELIZABETH) (Entered: 07/21/2020)</p> |
| 07/21/2020 | 30 | <p>WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. FRANKIE MANESS waiver sent on 7/17/2020, answer due 9/15/2020. (HADDIX, ELIZABETH) (Entered: 07/21/2020)</p> |
| 07/21/2020 | 31 | <p>WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. JERRY PETERMAN waiver sent on 7/17/2020, answer due 9/15/2020. (HADDIX, ELIZABETH) (Entered: 07/21/2020)</p> |
| 07/21/2020 | 32 | <p>WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA,</p> |

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| | | COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. JEFFREY PRICHARD waiver sent on 7/17/2020, answer due 9/15/2020. (HADDIX, ELIZABETH) (Entered: 07/21/2020) |
| 07/21/2020 | 33 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. JENNIFER TALLEY waiver sent on 7/17/2020, answer due 9/15/2020. (HADDIX, ELIZABETH) (Entered: 07/21/2020) |
| 07/21/2020 | 34 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. CHIP TURNER waiver sent on 7/17/2020, answer due 9/15/2020. (HADDIX, ELIZABETH) (Entered: 07/21/2020) |
| 07/21/2020 | 35 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. MELODY WIGGINS waiver sent on 7/17/2020, answer due 9/15/2020. (HADDIX, ELIZABETH) (Entered: 07/21/2020) |
| 07/22/2020 | 36 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. TERRY S. JOHNSON waiver sent on 7/17/2020, answer due 9/15/2020. (SIEGEL, DANIEL) (Entered: 07/22/2020) |
| 07/22/2020 | 37 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. BILL LASHLEY waiver sent on 7/17/2020, answer due 9/15/2020. (SIEGEL, DANIEL) (Entered: 07/22/2020) |
| 07/22/2020 | 38 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, |

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| | | ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. TIM SUTTON waiver sent on 7/17/2020, answer due 9/15/2020. (SIEGEL, DANIEL) (Entered: 07/22/2020) |
| 07/22/2020 | 39 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. EDDIE BOSWELL waiver sent on 7/17/2020, answer due 9/15/2020. (SIEGEL, DANIEL) (Entered: 07/22/2020) |
| 07/22/2020 | 40 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. STEVE CARTER waiver sent on 7/17/2020, answer due 9/15/2020. (SIEGEL, DANIEL) (Entered: 07/22/2020) |
| 07/22/2020 | 41 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. AMY SCOTT GALEY waiver sent on 7/17/2020, answer due 9/15/2020. (SIEGEL, DANIEL) (Entered: 07/22/2020) |
| 07/22/2020 | 42 | WAIVER OF SERVICE of SUMMONS by ADAM ROSE, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, COLLEEN TENAE TURNER, GREGORY B. DRUMWRIGHT, ANNIE SIMPSON, TERENCE COLIN DODD, DESTINY CLARKE. BRYAN HAGOOD waiver sent on 7/17/2020, answer due 9/15/2020. (SIEGEL, DANIEL) (Entered: 07/22/2020) |
| 07/23/2020 | 43 | NOTICE of Appearance by attorney WILLIAM L. HILL on behalf of Defendants EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY (HILL, WILLIAM) (Entered: 07/23/2020) |
| 07/23/2020 | 44 | NOTICE of Appearance by attorney WILLIAM L. HILL on behalf of Defendant BILL LASHLEY (HILL, WILLIAM) (Entered: 07/23/2020) |
| 07/23/2020 | 45 | NOTICE of Appearance by attorney WILLIAM L. HILL on behalf of Defendant TIM SUTTON (HILL, WILLIAM) (Entered: 07/23/2020) |
| 07/27/2020 | 46 | NOTICE of Appearance by attorney CLYDE BALLINGER ALBRIGHT on behalf of Defendants EDDIE BOSWELL, STEVE |

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| | | CARTER, AMY SCOTT GALEY, BRYAN HAGOOD, RICKY HALL, TERRY S. JOHNSON, BILL LASHLEY, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, TIM SUTTON, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS (ALBRIGHT, CLYDE) (Entered: 07/27/2020) |
| 07/28/2020 | 47 | Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> by DESTINY CLARKE, TERENCE COLIN DODD, GREGORY B. DRUMWRIGHT, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, ADAM ROSE, ANNIE SIMPSON, COLLEEN TENAE TURNER. Response to Motion due by 8/18/2020 (Attachments: # 1 Exhibit 1- 2d Declaration of Terence Colin Dodd, # 2 Exhibit 2- 2d Declaration of Barrett Brown, # 3 Exhibit 3- 2d Declaration of Daniel Hosterman, # 4 Exhibit 4 - 2d Declaration of Destiny Clarke, # 5 Exhibit 5- 2d Declaration of Nerissa Rivera, # 6 Exhibit 6- 2d Declaration of Adam Rose, # 7 Exhibit 7- 2d Declaration of C. Tenae Turner, # 8 Exhibit 8 - 2d Declaration of Rev. Gregory Drumwright, # 9 Exhibit 9 - State of Emergency Rescinded Post, # 10 Text of Proposed Order Temporary Restraining Order) (GRAUNKE, KRISTI) (Entered: 07/28/2020) |
| 07/28/2020 | 48 | <i>Plaintiffs'</i> BRIEF re 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> . (GRAUNKE, KRISTI) (Entered: 07/28/2020) |
| 07/28/2020 | | ELECTRONIC NOTICE to all parties of Hearing on Second MOTION for Temporary Restraining Order and Preliminary Injunction set for 7/30/2020 at 3:00 PM in Greensboro Courtroom #3 before JUDGE CATHERINE C. EAGLES. (Marsh, Keah) (Entered: 07/28/2020) |
| 07/29/2020 | | Motions Submitted: 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> to JUDGE CATHERINE C. EAGLES. (Sanders, Marlene) (Entered: 07/29/2020) |
| 07/29/2020 | | ELECTRONIC NOTICE OF PUBLIC ACCESS LINE re Second Motion for Temporary Restraining Order set for 7/30/2020 at 3:00 PM: To facilitate public access to the hearing while avoiding the public health risks associated with being in the courthouse, the parties and public are invited to listen to the proceedings by calling (877) 336-1831 and the Access Code is 9793378, which will provide a live audio feed. Recording of the proceedings is prohibited. Any attorney who will address the Court on behalf of a party must appear in person. (Sanders, Marlene) (Entered: 07/29/2020) |

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| 07/29/2020 | 49 | AMENDED DOCUMENT by EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD, RICKY HALL, TERRY S. JOHNSON, BILL LASHLEY, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, TIM SUTTON, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. Amendment to 46 Notice of Appearance, . (ALBRIGHT, CLYDE) (Entered: 07/29/2020) |
| 07/29/2020 | 50 | NOTICE by DESTINY CLARKE, TERENCE COLIN DODD, GREGORY B. DRUMWRIGHT, TAMARA O. KERSEY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, NERISSA RIVERA, ADAM ROSE, ANNIE SIMPSON, COLLEEN TENAE TURNER re 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> (Attachments: # 1 Exhibit Corrected Exhibit 2- Declaration of Barrett Brown with attached documents, # 2 Exhibit Corrected Exhibit 3- Declaration of Daniel Hosterman with attachment)(GRAUNKE, KRISTI) (Entered: 07/29/2020) |
| 07/30/2020 | 51 | DECLARATION of Frankie Maness by Defendants RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. (BILLER, ANTHONY) (Entered: 07/30/2020) |
| 07/30/2020 | 52 | DECLARATION of Kristi Cole by Defendants RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. (Attachments: # 1 Exhibit A Social media posts)(BILLER, ANTHONY) (Entered: 07/30/2020) |
| 07/30/2020 | 53 | RESPONSE in Opposition re 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, TAMARA O. KERSEY, TERENCE COLIN DODD, COLLEEN TENAE TURNER, ADAM ROSE, DESTINY CLARKE, GREGORY B. DRUMWRIGHT, NERISSA RIVERA, ANNIE SIMPSON filed by RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. (Attachments: # 1 Exhibit A City of Graham Emergency Declaration 7.10.20, # 2 Exhibit B Email exchange E. Haddix & A. Biller 7.11.2020, # 3 Exhibit C Email exchange E. Haddix. A Biller & W. Hill 7.13.20, # 4 Exhibit D City of Graham July 10 Order rescinded)(BILLER, ANTHONY) (Entered: 07/30/2020) |

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| 07/30/2020 | 54 | RESPONSE in Opposition re 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> filed by NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, TAMARA O. KERSEY, TERENCE COLIN DODD, COLLEEN TENAE TURNER, ADAM ROSE, DESTINY CLARKE, GREGORY B. DRUMWRIGHT, NERISSA RIVERA, ANNIE SIMPSON filed by EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD. Replies due by 8/13/2020 (Attachments: # 1 Exhibit Timeline of Protests, # 2 Exhibit Google Earth- Courthouse, # 3 Exhibit Emails- Flagpole, # 4 Exhibit Photo Flagpoles, # 5 Exhibit Email- Discussions, # 6 Exhibit Letter - 07-28-2020 Graunke Haddix, # 7 Exhibit Resc. of SoE, # 8 Exhibit Email - Video Links, # 9 Exhibit Declaration of David Sykes)(HILL, WILLIAM) (Entered: 07/30/2020) |
| 07/30/2020 | | Minute Entry for proceedings held before JUDGE CATHERINE C. EAGLES: Motion Hearing held on 7/30/2020 re 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> Attorneys Elizabeth Haddix, Mark Dorosin and Kristi Graunke present as counsel for plaintiffs. Attorney Anthony Biller present as counsel for defendant City of Graham. Attorneys Clyde Albright and Ben Pierce present as counsel for Alamance County. For the reasons stated in open court, Court DENIES Motion and Temporary Restraining Order and Preliminary Injunction as to the City of Graham defendants. The Court takes the matter under advisement as to County defendants. (Court Reporter Jane Calhoun.) (Sanders, Marlene) (Entered: 07/30/2020) |
| 08/03/2020 | 55 | <i>PLaintiffs' Reply</i> BRIEF re 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> , 54 Response in Opposition to Motion. (HADDIX, ELIZABETH) (Entered: 08/03/2020) |
| 08/04/2020 | 56 | SURREPLY filed by Defendants EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD re 55 Brief filed by EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD. (HILL, WILLIAM) (Entered: 08/04/2020) |
| 08/05/2020 | | TEXT ORDER issued by JUDGE CATHERINE C. EAGLES: The plaintiffs have shown a likelihood of success on the merits and irreparable harm, but the Court concludes in its discretion that the balance of the equities and the public interest support denial of a |

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| | | TRO, to give the defendants a short period of time to implement reasonable time, place, and manner rules for access to courthouse grounds, if they so choose. In the absence of immediate implementation of reasonable restrictions or other material change of circumstances, and subject to further briefing, the Court will likely grant the motion for a preliminary injunction, as a long-term prohibition on protests on courthouse grounds traditionally used as a public forum violates the First Amendment. Written order with specific findings and discussion to follow by the end of the week. The Court anticipates holding the record open for a week or so for any additional evidence or briefing; a specific schedule will be set in the forthcoming order. (Sanders, Marlene) (Entered: 08/05/2020) |
| 08/07/2020 | 57 | MEMORANDUM OPINION AND ORDER signed by JUDGE CATHERINE C. EAGLES on 8/7/2020. Additional evidence or briefing in connection with Plaintiff's motion for preliminary injunction must be filed no later than August 12, 2020. Reply briefs and evidence due no later than noon on August 14, 2020. In absence of a change of circumstances or additional evidence undermining the Court's factual findings herein, the Court contemplates granting the motion for preliminary injunction against the County defendants. (Daniel, J) (Entered: 08/07/2020) |
| 08/12/2020 | 58 | SUPPLEMENT re 54 Response in Opposition to Motion,, by Defendants EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD. (Attachments: # 1 Exhibit Exhibit A - Historic Courthouse Facility Use Policy)(HILL, WILLIAM) (Entered: 08/12/2020) |
| 08/12/2020 | 59 | <i>Plaintiffs' Supplemental</i> BRIEF re 57 Memorandum Opinion and Order,, 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> . (Attachments: # 1 Affidavit Second Kersey, # 2 Exhibit Kersey photo attachment, # 3 Exhibit Kersey photo attachment, # 4 Exhibit Kersey photo attachment, # 5 Exhibit Kersey photo attachment, # 6 Exhibit Kersey photo attach, # 7 Exhibit Kersey photo attach, # 8 Exhibit Kersey photo attach, # 9 Exhibit Kersey photo attach, # 10 Exhibit Kersey photo attach, # 11 Exhibit Kersey photo attach, # 12 Exhibit Kersey photo attach, # 13 Exhibit Kersey photo attach, # 14 Exhibit Kersey photo attach, # 15 Exhibit Kersey photo attach, # 16 Exhibit Kersey photo attach, # 17 Exhibit 1914 news article, # 18 Affidavit Wells |

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| | | decl, # 19 Affidavit Chestek decl)(HADDIX, ELIZABETH) (Entered: 08/12/2020) |
| 08/14/2020 | 60 | <i>Plaintiffs' Supplemental Reply</i> BRIEF re 57 Memorandum Opinion and Order,, 47 Second MOTION for Temporary Restraining Order <i>and Preliminary Injunction</i> . (HADDIX, ELIZABETH) (Entered: 08/14/2020) |
| 08/14/2020 | 61 | <i>Alamance Defendants Supplemental Reply</i> BRIEF re 57 Memorandum Opinion and Order,, 54 Response in Opposition to Motion,, by Defendants EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD filed by EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD. (HILL, WILLIAM) (Entered: 08/14/2020) |
| 08/14/2020 | 62 | MEMORANDUM OPINION AND ORDER signed by JUDGE CATHERINE C. EAGLES on 8/14/2020; The County Defendants imposed a total prohibition on protests in the traditional public forum of outdoor areas surrounding the Alamance County Historic Courthouse. The total prohibition is not a time, place, and manner restriction, and however strong the governmental interests are, the total prohibition is not narrowly tailored. The plaintiffs are entitled to a preliminary injunction, which will issue by separate order. (Sheets, Jamie) (Entered: 08/14/2020) |
| 08/14/2020 | 63 | PRELIMINARY INJUNCTION signed by JUDGE CATHERINE C. EAGLES on 8/14/2020 as set out herein. (Sheets, Jamie) (Entered: 08/14/2020) |
| 08/25/2020 | 64 | NOTICE of Attorney Appearance by attorney ADAM P. BANKS on behalf of Defendants RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. (BANKS, ADAM) (Entered: 08/25/2020) |
| 09/09/2020 | 65 | Consent MOTION for Extension of Time to File Answer re 27 Amended Complaint,, by RICKY HALL, FRANKIE MANESS, JERRY PETERMAN, JEFFREY PRICHARD, JENNIFER TALLEY, CHIP TURNER, MELODY WIGGINS. (Attachments: # 1 Text of Proposed Order)(BILLER, ANTHONY) (Entered: 09/09/2020) |
| 09/09/2020 | | ORDER granting 65 Motion for Extension of Time to Answer for RICKY HALL; FRANKIE MANESS; JERRY PETERMAN; JEFFREY PRICHARD; JENNIFER TALLEY; CHIP TURNER; and |

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| | | MELODY WIGGINS. Answer due by 10/15/2020. Signed by John Brubaker, Clerk of Court, on 9/9/2020. (Brubaker, John) (Entered: 09/09/2020) |
| 09/10/2020 | 66 | First MOTION for Extension of Time to File Answer re 27 Amended Complaint,, by EDDIE BOSWELL, STEVE CARTER, AMY SCOTT GALEY, BRYAN HAGOOD. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion for Extension of Time to Answer or Otherwise Respond to Plaintiffs' Amended Complaint)(HILL, WILLIAM) (Entered: 09/10/2020) |
| 09/11/2020 | | ORDER granting 66 Motion for Extension of Time to Answer for EDDIE BOSWELL; STEVE CARTER; AMY SCOTT GALEY; BRYAN HAGOOD; TERRY S. JOHNSON; BILL LASHLEY; and TIM SUTTON. Answer due by 10/15/2020. Signed by John Brubaker, Clerk of Court, on 9/11/2020. (Brubaker, John) (Entered: 09/11/2020) |