UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,

Plaintiff,

ν.

STATE OF NORTH CAROLINA et al.,

Defendants

CASE NO. 1:16-CV-00425-TDS-JEP

JOINT STIPULATED NOTICE OF DISMISSAL

In light of the passage of North Carolina Session Law 2017-4, House Bill 142, and pursuant to Fed. R. Civ. P. 41, the Parties in the above-captioned action hereby stipulate that all claims or causes of action against Defendants and all counterclaims against Plaintiff which were the subject matter of this lawsuit are hereby dismissed with prejudice. The Parties further stipulate that each party shall pay their own costs and attorneys' fees incurred in connection with the above-captioned action.

Respectfully submitted,

Sandra J. Hairston ACTING UNITED STATES ATTORNEY MIDDLE DISTRICT OF NORTH CAROLINA UNITED STATES DEPARTMENT OF JUSTICE 101 South Edgeworth Street, 4th Floor Greensboro, NC 27401

Telephone: (336) 333-5351 sandra.hairson@usdoj.gov

T. E. Wheeler, II ACTING ASSISTANT ATTORNEY GENERAL CIVIL RIGHTS DIVISION

Shaheena Simons
CHIEF, EDUCATIONAL OPPORTUNITIES
SECTION

Delora L. Kennebrew CHIEF, EMPLOYMENT LITIGATION SECTION

Christine Stoneman
PRINCIPAL DEPUTY CHIEF, FEDERAL
COORDINATION AND COMPLIANCE
SECTION

Whitney M. Pellegrino DEPUTY CHIEF

LORI B. KISCH
SPECIAL LITIGATION COUNSEL

Dylan N. De Kervor Sean R. Keveney Alyssa C. Lareau Jonathan D. Newton Candyce Phoenix Aria S. Vaughan Taryn Wilgus Null TRIAL ATTORNEYS CIVIL RIGHTS DIVISION

/s/ Candyce Phoenix

Candyce Phoenix (VA Bar No. 80800)
TRIAL ATTORNEY
UNITED STATES DEPARTMENT OF JUSTICE
CIVIL RIGHTS DIVISION
950 Pennsylvania Avenue, NW
Washington, DC 20530
Telephone: (202) 616-3871
Candyce.Phoenix@usdoj.gov

Counsel for Plaintiff United States

/s/ Thomas C. Shanahan

Thomas C. Shanahan (NC Bar No. 42381) Carolyn C. Pratt (NC Bar No. 38438) THE UNIVERSITY OF NORTH CAROLINA P.O. Box 2688

Chapel Hill, NC 27515
Telephone: (919) 962-3406
Facsimile: (919) 962-0477
ccpratt@northcarolina.edu
tcshanahan@northcarolina.edu

/s/ Glen D. Nager

Glen D. Nager*
Kristen A. Lejnieks*
JONES DAY
51 Louisiana Avenue, NW
Washington, DC 20001
Telephone: (202) 879-3939
Facsimile: (202) 626-1700
gdnager@jonesday.com
klejnieks@jonesday.com

Counsel for Defendants the University of North Carolina and the Board of Governors of the University of North Carolina

/s/ S. Kyle Duncan

S. Kyle Duncan* (DC Bar No. 1010452) Gene C. Schaerr* (DC Bar No. 416638) Stephen S. Schwartz* (DC Bar No. 477947)

SCHAERR | DUNCAN LLP 1717 K Street NW, Suite 900 Washington, DC 20006

Telephone: (202) 714-9492 Facsimile: (571) 730-4429 kduncan@schaerr-duncan.com gschaerr@schaerr-duncan.com

sschwartz@schaerr-duncan.com

/s/ Robert D. Potter, Jr.

Robert D. Potter, Jr. (NC Bar No. 17553)

ATTORNEY AT LAW

2820 Selwyn Avenue, #840

Charlotte, NC 28209

Telephone: (704) 552-7742 rdpotter@rdpotterlaw.com

* Appearing by special appearance pursuant to L.R. 83.1(d)

Counsel for Intervenor-Defendants Phil Berger and Tim Moore

^{*} Appearing by special appearance pursuant to L.R. 83.1(d)

Josh Stein ATTORNEY GENERAL STATE OF NORTH CAROLINA

/s/ Amar Majmundar

Amar Majmundar (NC Bar No. 24668) SPECIAL DEPUTY ATTORNEY GENERAL NORTH CAROLINA DEPARTMENT OF JUSTICE

Post Office Box 629 Raleigh, NC 27602

Telephone: (919) 716-6821 Facsimile: (919) 716-6759 amajmundar@ncdoj.gov

/s/ Olga E. Vysotskaya de Brito

Ms. Olga E. Vysotskaya de Brito (NC Bar No. 31846)

SPECIAL DEPUTY ATTORNEY GENERAL NORTH CAROLINA DEPARTMENT OF

JUSTICE

Post Office Box 629 Raleigh, NC 27602

Telephone: (919) 716-0185 Facsimile: (919) 716-6759 ovysotskaya@ncdoj.gov

Counsel for Defendants the State of North Carolina, Gov. Roy Cooper in his Official Capacity, and the North Carolina Dept. of Public Safety

CERTIFICATE OF SERVICE

I hereby certify that, on this date, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participating attorneys.

This the 14th day of April, 2017.

/s/ Candyce Phoenix
Candyce Phoenix (VA Bar No. 80800)
TRIAL ATTORNEY
UNITED STATES DEPARTMENT OF JUSTICE
CIVIL RIGHTS DIVISION
950 Pennsylvania Avenue, NW
Washington, DC 20530
Telephone: (202) 616-3871
Candyce.Phoenix@usdoj.gov