

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
95 CVS 1158

HOKE COUNTY BOARD OF  
EDUCATION, et al.,

Plaintiffs,

and

CHARLOTTE-MECKLENBURG  
BOARD OF EDUCATION,

Plaintiff-Intervenor

and

RAFAEL PENN, et al.,

Plaintiff-Intervenors

v.

STATE OF NORTH CAROLINA and  
the STATE BOARD OF  
EDUCATION,

Defendant

and

CHARLOTTE-MECKLENBURG  
BOARD OF EDUCATION,

Realigned Defendant

and

PHILIP E. BERGER, in his official  
capacity as President *Pro Tempore* of  
the North Carolina Senate, and  
TIMOTHY K. MOORE, in his official  
capacity as Speaker of the North  
Carolina House of Representatives,

Intervenor-Defendants.

**NOTICE OF CONFERENCE FOR  
PURPOSES OF DEVELOPING A  
SCHEDULE FOR FURTHER  
BRIEFING AND ARGUMENT**

1. **THIS MATTER** has been remanded from the North Carolina Supreme Court to the Superior Court of Wake County by Order dated 21 March 2022, and has

further been assigned to the undersigned Special Superior Court Judge presiding by Order of the Chief Justice of the North Carolina Supreme Court dated 21 March 2022. The Supreme Court's Order of 21 March 2022 provides that the undersigned shall have a "period of no more than thirty days for the purpose of allowing the trial court to determine what effect, if any, the enactment of the State Budget has upon the nature and extent of the relief that the trial court granted in its 11 November 2021 order."

2. **PLEASE TAKE NOTICE** that, on Thursday 24 March 2022 at 2:00 p.m., the Court will conduct a status conference with counsel for the parties for the purpose of developing a schedule for any necessary briefing and oral argument regarding the Supreme Court's directive. Counsel are requested to confer with each other prior to the status conference to determine whether an agreed-to schedule may be proposed to the Court that leaves the Court a reasonable period of time to prepare and file with the Supreme Court an order and opinion regarding the matters embraced in the Supreme Court's directive.

3. The conference will be conducted by Webex utilizing the Court's teleconferencing technology. All attorneys of record in this action who have not already done so are directed to promptly create an account with the North Carolina Business Court's electronic filing system so that they may automatically receive notifications from the Court regarding filings and other directives. Counsel of record who create an account shall receive an e-mail no later than Thursday 24 March 2022 at 8:30 a.m. containing a link to the status conference. Additionally, any members of

the public who wish to attend the proceeding may contact the undersigned's administrative assistant at [Sharon.S.Turner@nccourts.org](mailto:Sharon.S.Turner@nccourts.org) prior to 12:00 noon on 24 March 2022 to obtain a link to the proceeding.

**SO ORDERED**, this the 22nd day of March, 2022.

/s/ Michael L. Robinson

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Michael L. Robinson  
Special Superior Court Judge  
for Complex Business Cases