

STATE OF NORTH CAROLINA
COUNTY OF GASTON

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
12 CVS 1547-2 AM 11:00

I. BEVERLY LAKE, JOHN B. LEWIS, JR., EVERETTE M. LATTA, PORTER L. McATEER, ELIZABETH S. McATEER, ROBERT C. HANES, BLAIR J. CARPENTER, MARILYN L. FUTRELLE, FRANKLIN E. DAVIS, THE ESTATE OF JAMES D. WILSON, BENJAMIN E. FOUNTAIN, JR., FAYE IRIS Y. FISHER, STEVE FRED BLANTON, HERBERT W. COOPER, ROBERT C. HAYES, JR., STEPHEN B. JONES, MARCELLUS BUCHANAN, DAVID B. BARNES, BARBARA J. CURRIE, CONNIE SAVELL, ROBERT B. KAISER, JOAN ATWELL, ALICE P. NOBLES, BRUCE B. JARVIS, ROXANNA J. EVANS, and JEAN C. NARRON, and all others similarly situated,

Plaintiffs,

vs.

STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, a corporation, formerly Known as the North Carolina Teachers and State Employees' Comprehensive Major Medical Plan, TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, a corporation, BOARD OF TRUSTEES TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, a body politic and corporate, DALE R. FOLWELL, in his official capacity as Treasurer of the State of North Carolina, and the STATE OF NORTH CAROLINA,

Defendants.

GASTON CO. C.S.C.

BY DM/KW

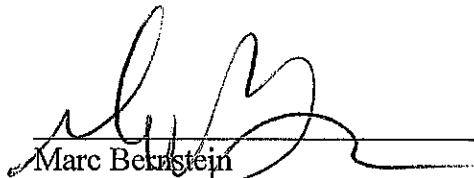
NOTICE OF APPEAL

Defendants, the State Health Plan for Teachers and State Employees, the Teachers' and State Employees' Retirement System of North Carolina, the Board of Trustees of the Teachers' and State Employees' Retirement System of North Carolina, Dale R. Folwell (in his official capacity as Treasurer of the State of North Carolina), and the State of North Carolina, hereby

give notice of appeal to the North Carolina Court of Appeals from the trial Court's Order Granting Plaintiffs' Motion for Partial Summary Judgment and Denying Defendants' Motion for Summary Judgment as to Liability. The trial Court entered that Order on May 19, 2017.

This appeal is based on N.C. Gen. Stat. §§ 1-277(a) and 7A-27(b)(3)(a). The Order appealed from affects a substantial right that would be lost, prejudiced, and/or inadequately preserved without an immediate appeal.

This 1st day of June, 2017.



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CERTIFICATE OF SERVICE

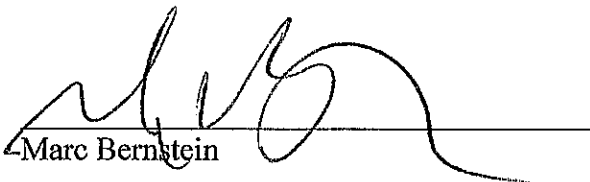
The undersigned certifies that the foregoing Notice of Appeal has been served on the following counsel for the parties by first-class USPS mail, postage pre-paid, and by electronic mail at the following addresses:

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DATE: June 1, 2017.


Marc Bernstein