

STATE OF NORTH CAROLINA

COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
08 CVS 007955

HOPE-A WOMEN'S CANCER CENTER, )  
P.A., and RALEIGH ORTHOPAEDIC )  
CLINIC, P.A., )

Plaintiffs, )

vs. )

STATE OF NORTH CAROLINA; )  
MICHAEL F. EASLEY, Governor of the )  
State of North Carolina, in his official )  
capacity; NORTH CAROLINA )  
DEPARTMENT OF HEALTH AND )  
HUMAN SERVICES; DEMPSEY E. )  
BENTON, Secretary of the North )  
Carolina Department of Health and )  
Human Services, in his official capacity; )  
DAN A. MYERS, M.D., Chairman )  
of the North Carolina State Health )  
Coordinating Council, in his official )  
capacity; JEFF HORTON, Acting )  
Director, Division of Health Service )  
Regulation, North Carolina Department )  
of Health and Human Services, in his )  
official capacity; and LEE B. HOFFMAN, )  
Chief of the Certificate of Need )  
Section, Division of Health Service )  
Regulation, North Carolina Department )  
of Health and Human Services, in her )  
official capacity, )

Defendants. )

BY \_\_\_\_\_

NOTICE OF APPEARANCE

WAKE COUNTY, C.S.C.

2:08 NOV 14 PM 2:37

FILED

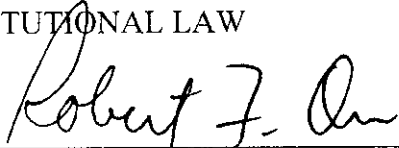
**NOTICE OF APPEARANCE**

COMES NOW the North Carolina Institute for Constitutional Law and gives notice of its appearance in the above-captioned case as counsel to plaintiffs Hope – A Women's Cancer Center, P.A. and Raleigh Orthopaedic Clinic, P.A. Counsel requests that the Court records reflect such representation of the plaintiffs and that copies of all further correspondence be forwarded to the undersigned counsel.

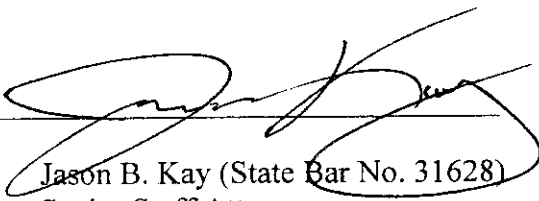
This the 14<sup>th</sup> day of November, 2008.

NORTH CAROLINA INSTITUTE FOR  
CONSTITUTIONAL LAW

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing NOTICE OF APPEARANCE has been served upon the person(s) listed below by hand delivery and/or depositing a copy of it in the United States Mail addressed to the following:

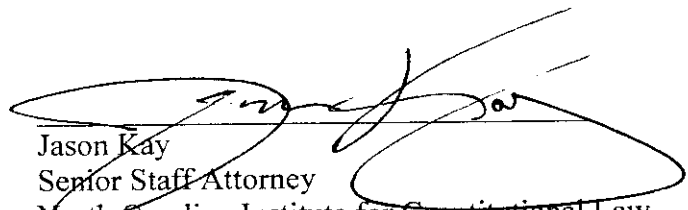
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This the 14<sup>th</sup> day of November, 2008.

  
Jason Kay  
Senior Staff Attorney  
North Carolina Institute for Constitutional Law