

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
5 CVS 17197

CHARLES HEATHERLY; DAVID
BUNN; THOMAS SPAMPINATO; W.
EDWARD GOODALL, JR.; PAUL STAM;
WAKE COUNTY TAXPAYERS
ASSOCIATION; and THE NORTH
CAROLINA FAMILY POLICY
COUNCIL

Plaintiffs,

WILLIS WILLIAMS; NORTH
CAROLINA FAIR SHARE; and NORTH
CAROLINA COMMON SENSE
FOUNDATION,

Proposed Plaintiff-Intervenors

v.

CHARLES A. SANDERS, BRYAN E.
BEATTY, LINDA CARLISLE, ROBERT
A. FARRIS, JR., JOHN R. MCARTHUR,
JIM WOODWARD, and ROBERT W.
APPLETON, Members of the North
Carolina Lottery Commission, in their
official capacity; NORTH CAROLINA
LOTTERY COMMISSION; THOMAS N.
SHAHEEN, Executive Director of the
North Carolina Education Lottery, in his
official capacity; MICHAEL F. EASLEY,
Governor of the State of North Carolina, in
his official capacity; RICHARD H.
MOORE, Treasurer of the State of North
Carolina, in his official capacity,

Defendants.

ORDER

2006
FEB 14 PM 1:04
FILED
15 MAR 1 2007

Upon the motion of Willis Williams, North Carolina Fair Share and the North Carolina Common Sense Foundation (“applicant plaintiff-intervenors”) for leave to intervene in this action pursuant to Rule 24 (b)(2) of the North Carolina Rules of Civil Procedure, the Court hereby finds that:

1) the applicant plaintiff-intervenors' claims and those raised in the main action have questions of law or fact in common;

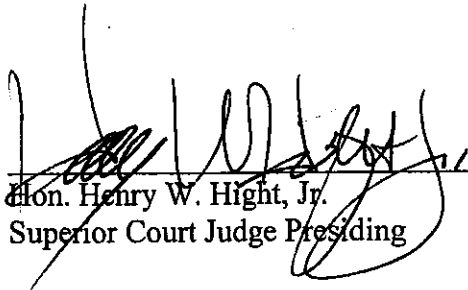
2) said motion to intervene was timely made and the proposed intervention will not unduly delay or prejudice the adjudication of the rights of the original parties;

3) plaintiffs consent to intervention by the applicant plaintiff-intervenors and defendants have stated that they do not oppose said motion.

THEREFORE, this Court, in the exercise of its discretion, grants the motion to intervene pursuant to Rule 24 (b)(2), allowing Willis Williams, North Carolina Fair Share and the North Carolina Common Sense Foundation to participate fully as parties in pursuit of this action.

Mr. Williams, North Carolina Fair Share and the North Carolina Common Sense Foundation are hereby ORDERED to file their Intervening Complaint and Petition for Declaratory Judgment and serve same upon plaintiffs and defendants in this action.

This the 14th day of February, 2006.


Hon. Henry W. Hight, Jr.
Superior Court Judge Presiding