

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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

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

Plaintiffs,

and

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

Plaintiff-Intervenors,

v.

THE STATE OF NORTH CAROLINA,
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.

FILED
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CLERK OF SUPERIOR COURT
WAKE COUNTY, N.C.

PLAINTIFF-INTERVENORS'

NOTICE OF APPEAL

Plaintiff Intervenors Willis Williams and North Carolina Common Sense Foundation, by
and through the undersigned counsel, pursuant to Rule 3 of the North Carolina Rules of
Appellate Procedure, hereby respectfully give notice of appeal to North Carolina Court of

Appeals from the Order entered in Wake County Superior Court on March 21, 2006, by the Honorable Henry W. Hight, Jr., entering judgment in favor of the Defendants as to all claims, dismissing Plaintiffs' and Plaintiff-Intervenors' complaints and taxing costs of the lawsuit upon Plaintiffs and Plaintiff-Intervenors.

This the 4th day of April, 2006.

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Telephone: (919) 856-2165
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BY: _____

Jack Holtzman

Attorney at Law

NC Bar # 13548

Counsel for Plaintiff-Intervenors Willis Williams,
and the North Carolina Common Sense Foundation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has this day served a copy of the foregoing document upon all parties to this action by facsimile transmission and by placing a copy of same in the United States mail, postage prepaid, addressed as follows:

Norma S. Harrell, Special Deputy Attorney General
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Counsel for Plaintiffs

This 4th day of April, 2006.

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