

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No. 1:19-cv-272-LCB

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MAXWELL KADEL; JASON FLECK;  
CONNOR THONEN-FLECK, by his next  
friends and parents, JASON FLECK and  
ALEXIS THONEN; JULIA MCKEOWN;  
MICHAEL D. BUNTING, JR.; C.B., by his  
next friends and parents, MICHAEL D.  
BUNTING, JR. and SHELLEY K.  
BUNTING; and SAM SILVAINE,

Plaintiffs,

v.

DALE FOLWELL, in his official capacity  
as State Treasurer of North Carolina; DEE  
JONES, in her official capacity as Executive  
Administrator of the North Carolina State  
Health Plan for Teachers and State  
Employees; UNIVERSITY OF NORTH  
CAROLINA AT CHAPEL HILL; NORTH  
CAROLINA STATE UNIVERSITY;  
UNIVERSITY OF NORTH CAROLINA  
AT GREENSBORO; and NORTH  
CAROLINA STATE HEALTH PLAN FOR  
TEACHERS AND STATE EMPLOYEES,

Defendants.

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**NOTICE OF APPEARANCE /  
SUBSTITUTION OF COUNSEL**

The undersigned counsel, Mr. James Benjamin Garner, Esq., hereby provides notice to this Honorable Court, of his appearance as counsel for the North Carolina State Health Plan for Teachers and State Employees; Dale Folwell (sued in his official capacity as State Treasurer of North Carolina); and Dee Jones (sued in her official capacity as Executive

Administrator of the Plan). The undersigned—General Counsel to the North Carolina Department of the State Treasurer—further requests that former General Counsel Sam M. Hayes be terminated and removed from the docket as counsel representing the above Defendants, and that all future pleadings, motions, notices, correspondence, and other papers relating to representation of these Defendants be served on undersigned substituted counsel.

Respectfully submitted, this the 24<sup>th</sup> day of April, 2020.

/s/ J. Benjamin Garner

J. Benjamin Garner

N.C. Bar No. 41257

General Counsel

North Carolina Department of  
the State Treasurer

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

This the 24<sup>th</sup> day of April, 2020.

*/s/ J. Benjamin Garner*

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