

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MAXWELL KADEL, *et al.*,

Plaintiffs,

v.

DALE FOLWELL, in his official capacity as
State Treasurer of North Carolina, *et al.*,

Defendants.

Case No. 1:19-cv-00272-LCB-LPA

**PLAINTIFFS' MOTION TO EXCLUDE EXPERT
TESTIMONY OF DR. PATRICK W. LAPPERT**

Pursuant to Federal Rules of Civil Procedure 26 and Federal Rules of Evidence 104, 403, and 702, and for the reasons set forth in the accompanying memorandum of law, Plaintiffs respectfully move this Court to exclude the expert testimony of Dr. Patrick W. Lappert, a disclosed expert of Defendants Dale Folwell, Dee Jones, and the North Carolina State Health Plan for Teachers and State Employees. A supporting memorandum of law is filed contemporaneously herewith.

Dated this 2nd of February, 2022.

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* Appearing by special appearance pursuant to L.R. 83.1(d).

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all registered users.

Dated: February 2, 2022

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**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO
EXCLUDE EXPERT TESTIMONY OF DR. PATRICK W. LAPPERT**

This matter comes before the Court on the motion of Plaintiffs Maxwell Kadel; Jason Fleck; Connor Thonen-Fleck; Julia McKeown; Michael D. Bunting, Jr.; C.B., by his next friends and parents, Michael D. Bunting, Jr. and Shelley K. Bunting; Sam Silvaine; and Dana Caraway ("Plaintiffs") to exclude the testimony of Dr. Patrick W. Lappert, a disclosed expert of Defendants Dale Folwell, Dee Jones, and the North Carolina State Health Plan for Teachers and State Employees.

Having considered Plaintiffs' Motion and Memorandum in Support, and for good cause shown, IT IS HEREBY ORDERED that Plaintiffs' Motion to Exclude Expert Testimony of Dr. Patrick W. Lappert is GRANTED.

This ___ day of _____, 2022.

The Honorable Loretta C. Biggs
United States District Judge