

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
20 CVS 12925-910

COASTAL CONSERVATION ASSOCIATION, d/b/a CCA
NORTH CAROLINA; BRUCE C. ABBOTT; CHARLES P.
ADAMS, JR.; FREDERICK L. BERRY; ANDREW R. BOYD;
HARRY T. BRANCH; TROY D. BRANHAM; RUPERT D.
BROWN; JUDITH C. BULLOCK; WILLIAM L. BYRD, JR.;
JOHNNY L. CANUP; MICHAEL D. CARTER; KENNETH D.
COOPER, JR.; L. AVERY CORNING, IV; JOHN S. CORRIHER;
PAUL N. COX; BENJAMIN M. CURRIN; DANIEL E. DAWSON;
MARY F. DAWSON; JODY M. DEDMON; FRANK K. EILER;
MORGAN B. ELLIS; CHRISTOPHER ELKINS; DAN E.
ESTREM; DEBRA J. FOX; MARIAN R. GARRETT; HAROLD A.
GARRETT, JR.; ANDREW P. GILLIKIN; FRANCIS K.
GORHAM; JOHN C. HALE; LELAN E. HALLER, JR.; WILLIAM
T. HELMS; JOHN M. HISLOP; RHOID B. HOLLAND;
RAYMOND Y. HOWELL; JOEY S. HUMPHREY; THOMAS G.
HURT; CLARK W. HUTCHINSON, JR.; CHRISTOPHER H.
JONES; GEORGE M. KIVETT, JR.; JOHN C. KNIGHT, JR.;
BRADFORD A. KOURY; CHARLES H. LAUGHRIDGE; BRUCE
W. LEE; CHARLIE LOYA, JR.; ROBERT V. LUCAS; BRUCE D.
MACLACHLAN; EULISS D. MADREN; JAMES A.
MAGNANINI; WILLIAM W. MANDULAK; DARRELL G.
MCCORMICK; ROMULUS E. MCCOY, JR.; TERESA A. D.
MCCULLOUGH; JAMES M. MCMANUS, JR.; JOHN W.
MCQUAID; GEORGE R. MODE; JOHN V. MOON; DENNIS K.
MOORE; WARREN S. MOORING; ELIJAH T. MORTON;
DANIEL J. NIFONG; ROBERT B. NOWELL, JR.; ELBERT W.
OWENS, JR.; VAN B. PARRISH; JAMES H. PARROTT; BRYAN
C. PATE; HUNTER L. PEYTON; JEFFREY P. PICKERING;
ROBERT N. POWELL, M.D.; DOUGLAS C. PRIVETTE;
ROBERT R. RICE, II; ROBERT T. RICE; JOHN P. RITCHIE;
MARK A. RUFFIN; PATRICK H. SASSER, JR.; SEAN P.
SCULLY; ANN B. SOMERS; LENNY T. SMATHERS; DAVID G.
SPENCER; DAVID M. SUMMERS; JOHN B. TAGGART;
PAMELA G. WALTER; JESSE H. WASHBURN, II; DONALD A.
WILLIS, JR.; A. REXFORD WILLIS, III; JAN L. WILLIS;
PHILLIP R. WOOD; RAYE P. WOODIN, III; JOSEPH G.
YAGER, JEREMY C. YANCEY,

Plaintiffs,

v.

STATE OF NORTH CAROLINA,

Defendant.

**NOTICE OF
APPEAL**

The defendant—the State of North Carolina—hereby gives notice of appeal to the North Carolina Court of Appeals from the trial court’s Order in Liability Phase, which the trial court entered on August 17, 2026. This appeal is based on N.C. Gen. Stat. §§ 1-277(a) and 7A-27(b)(3)(a). The Order in Liability Phase affects a substantial right that would be lost, prejudiced, and/or inadequately preserved without an immediate appeal.

This, the 16th day of September 2026.

JEFF JACKSON
N.C. ATTORNEY GENERAL

/s/ Marc Bernstein

Marc Bernstein

Special Deputy Attorney General
N.C. State Bar No. 21642
mbernstein@ncdoj.gov

Scott A. Conklin

Assistant Attorney General
N.C. State Bar No. 28257
sconklin@ncdoj.gov

Rachel G. Posey

Assistant Attorney General
N.C. State Bar No. 56571
rposey@ncdoj.gov

N.C. Department of Justice

Post Office Box 629

Raleigh, NC 27602

Telephone: (919) 716-6600

Facsimile: (919) 716-6767

Attorneys for the Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this date served a copy of the foregoing Notice of Appeal upon counsel for the Plaintiffs by electronic mail addressed as follows:

Keith H. Johnson
Andrew H. Erteschik
John M. Durnovich
Paul M. Cox
kjohnson@poynerspruill.com
aerteschik@poynerspruill.com
jdurnovich@poynerspruill.com
pcox@poynerspruill.com
Attorneys for the Plaintiffs

This the 16th day of September 2026.

JEFF JACKSON
Attorney General

/s/ Marc Bernstein
Marc Bernstein
Special Deputy Attorney General