

FILED: January 5, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1721
(1:19-cv-00272-LCB-LPA)

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

Plaintiffs - Appellees

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

Defendants - Appellants

and

NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE
EMPLOYEES; STATE OF NORTH CAROLINA DEPARTMENT OF PUBLIC
SAFETY

Defendants

CONSTITUTIONAL LAW PROFESSORS

Amicus Supporting Appellant

NEW YORK; CALIFORNIA; COLORADO; DELAWARE; HAWAII;
ILLINOIS; MAINE; MARYLAND; MASSACHUSETTS; MINNESOTA;

NEVADA; NEW JERSEY; NEW MEXICO; OREGON; RHODE ISLAND;
VERMONT; WASHINGTON; DISTRICT OF COLUMBIA

Amici Supporting Appellee

O R D E R

Upon review of submissions relative to the motion for stay pending appeal,
the court denies the motion.

Entered at the direction of Chief Judge Gregory with the concurrence of Judge
Agee and Judge Diaz.

For the Court

/s/ Patricia S. Connor, Clerk