

22-1730, Maxwell Kadel v. North Carolina State Health Plan for Teachers

US Circuit Court of Appeals - 04th Circuit

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Header

Case Number: 22-1730

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Status: Closed 08/11/2022

Misc: (440) 3440: Other Civil Rights; Appeal

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TEACHERS AND STATE EMPLOYEES
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DALE R. FOLWELL, in his official capacity as State
Treasurer of North Carolina

Defendant

DEE JONES, in her official capacity as Executive
Administrator of the North Carolina State Health Plan for
Teachers and State Employees

Defendant

STATE OF NORTH CAROLINA DEPARTMENT OF PUBLIC
SAFETY

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Associated Cases

Case Number	Relationship	Lead Case	Member Case	Additional Information
	Current Case: Related	22-1721	22-1730	StartDate: 08/02/2022
	Current Case: Seriatim	22-1721	22-1927	StartDate: 04/13/2023
20-1409	Prior cases:			Filed: 04/09/2020 Disposed: 09/01/2021 Disposition: opn.p.arg

Additional Case

22-1730, Maxwell Kadel v. North Carolina State Health Plan for Teachers

Additional Case Information

Civil Private - private

Appeal from: United States District Court for the Middle District of North Carolina at Greensboro

District: 0418 Division: 2 CaseNumber: 1:19-cv-00272-LCB-LPA DateFiled: 03/11/2019

Court Reporter: Michelle Maar , Official Court Reporter

Court Reporter: Keah Marsh , Court Reporter Coordinator

Presiding Judge: Loretta C. Biggs , U. S. District Court Judge

Judgement Date: 06/10/2022

Judgement EOD: 06/10/2022

Date NOA Filed: 07/11/2022

Proceedings

Date	#	Proceeding Text	Details
07/12/2022		Case docketed. Originating case number: 1:19-cv-00272-LCB-LPA. Case manager: RachelLee. [1001192460] [22-1730] RP	
07/12/2022		DOCKETING NOTICE issued Re: case. Originating case number: 1:19-cv-00272-LCB-LPA. Mailed to: Ezra Cukor, Lauren Evans, Warren Haskell, Adam Safer, Dmitriy Tishyevich, and Grace Wynn. [1001192477] [22-1730] RP	
07/12/2022		ORDER filed consolidating case 22-1730 with 22-1721. Copies to all parties. Mailed to: Ezra Cukor, Lauren Evans, Warren Haskell, Adam Safer, Dmitriy Tishyevich, and Grace Wynn. [1001192484] [22-1721, 22-1730] RP	
07/12/2022		Amended BRIEFING ORDER filed. Mailed to: Ezra Cukor, Lauren Evans, Warren Haskell, Adam Safer, Dmitriy Tishyevich, and Grace Wynn. Paper copy requirements are temporarily suspended unless the case is under pre-argument review or being scheduled for argument, in which case a total of four paper copies of formal briefs and appendices are required. [1001192485] Opening Brief and Appendix due 08/17/2022. Response Brief due 09/16/2022. [22-1721, 22-1730] RP	
07/13/2022		APPEARANCE OF COUNSEL by Kevin G. Williams for Dee Jones and Dale Folwell in 22-1721, North Carolina State Health Plan for Teachers and State Employees in 22-1730. [1001193429] [22-1721, 22-1730] Kevin Williams	
07/13/2022		DISCLOSURE STATEMENT by North Carolina State Health Plan for Teachers and State Employees in 22-1730. Was any question on Disclosure Form answered yes? No [1001193443] [22-1730, 22-1721] Mark Jones	
07/13/2022		DOCKETING STATEMENT by North Carolina State Health Plan for Teachers and	

22-1730, Maxwell Kadel v. North Carolina State Health Plan for Teachers

Date	#	Proceeding Text	Details
		State Employees.. [1001193445] [22-1730] Mark Jones	
07/18/2022		(ENTRY RESTRICTED) NOTICE re: District Court intention to Correct Opinion and Order (Fed. R. App. P. 12.1(a); Fed. R. Civ. P. 60(a)/62.1(b)); Motion to Deconsolidate 22-1730 from 22-1721 and Motion for Limited Remand of 22-1730 for District Court correction of Opinion and Order by North Carolina State Health Plan for Teachers and State Employees in 22-1730. [1001195365] [22-1721, 22-1730]--[Edited 07/19/2022 by RJL- corrected at ECF #16] Mark Jones	
07/18/2022		Docket correction requested from Dale Folwell and Dee Jones in 22-1721, North Carolina State Health Plan for Teachers and State Employees in 22-1730. Re: Notice. Access to Notice has been restricted to case participants. [1001195388] [22-1721, 22-1730] RP	
07/18/2022		MOTION by North Carolina State Health Plan for Teachers and State Employees in 22-1730 to deconsolidate/sever case(s) from lead case , to remand case for limited purpose [4cca retains jurisdiction]. Date and method of service: 07/18/2022 ecf. [1001195468] [22-1721, 22-1730] Mark Jones	
07/19/2022		NOTICE ISSUED to Appellees in 22-1721, 22-1730 requesting response to Motion to deconsolidate/sever , Motion to remand case for limited purpose [1001195468-3.]Response due 07/29/2022.[1001195778]. Mailed to: Ezra Cukor, Lauren Evans, Warren Haskel, Adam Safer, Dmitriy Tishyevich, and Grace Wynn. [22-1721, 22-1730] RP	
07/19/2022		APPEARANCE OF COUNSEL by Tara L. Borelli for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730. [1001196527] [22-1721, 22-1730] Tara Borelli	
07/20/2022		APPEARANCE OF COUNSEL by Michael W. Weaver for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730. [1001196974] [22-1721, 22-1730] Michael Weaver	
07/20/2022		APPEARANCE OF COUNSEL by Dmitriy Tishyevich for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1730, 22-1721.	

22-1730, Maxwell Kadel v. North Carolina State Health Plan for Teachers

Date	#	Proceeding Text	Details
		[1001197023] [22-1730, 22-1721] Dmitriy Tishyevich	
07/20/2022		APPEARANCE OF COUNSEL by Warren Haskel for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1730, 22-1721. [1001197028] [22-1730, 22-1721] Warren Haskel	
07/20/2022		ORDER filed extending briefing order deadlines. Opening brief and appendix due 08/31/2022. Response brief due 09/30/2022. No paper copies required unless case has been tentatively calendared or copies otherwise ordered. Copies to all parties. [1001197183] [22-1721, 22-1730] RP	
07/20/2022		APPEARANCE OF COUNSEL by Amy E. Richardson for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730. [1001197306] [22-1721, 22-1730] Amy Richardson	
07/20/2022		APPEARANCE OF COUNSEL by Ezra Cukor for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730. [1001197323] [22-1721, 22-1730] Ezra Cukor	
07/20/2022		DISCLOSURE STATEMENT by Maxwell Kadel in 22-1721. Was any question on Disclosure Form answered yes? No [1001197346] [22-1721, 22-1730] Tara Borelli	
07/20/2022		DISCLOSURE STATEMENT by Michael D. Bunting, Jr. in 22-1721, 22-1730. Was any question on Disclosure Form answered yes? No [1001197351] [22-1721, 22-1730] Tara Borelli	
07/20/2022		DISCLOSURE STATEMENT by C.B. in 22-1721, 22-1730. Was any question on Disclosure Form answered yes? No [1001197355] [22-1721, 22-1730] Tara Borelli	
07/20/2022		DISCLOSURE STATEMENT by Dana Caraway in 22-1721, 22-1730. Was any question on Disclosure Form answered yes? No [1001197361] [22-1721, 22-1730] Tara Borelli	
07/20/2022		DISCLOSURE STATEMENT by Jason Fleck in 22-1721, 22-1730. Was any question on Disclosure Form answered yes? No [1001197362] [22-1721, 22-1730] Tara Borelli	

22-1730, Maxwell Kadel v. North Carolina State Health Plan for Teachers

Date	#	Proceeding Text	Details
07/20/2022		DISCLOSURE STATEMENT by Connor Thonen-Fleck in 22-1721, 22-1730. Was any question on Disclosure Form answered yes? No [1001197365] [22-1721, 22-1730] Tara Borelli	
07/20/2022		DISCLOSURE STATEMENT by Julia McKeown in 22-1721, 22-1730. Was any question on Disclosure Form answered yes? No [1001197368] [22-1721, 22-1730] Tara Borelli	
07/20/2022		DISCLOSURE STATEMENT by Sam Silvaine in 22-1721, 22-1730. Was any question on Disclosure Form answered yes? No [1001197371] [22-1721, 22-1730] Tara Borelli	
07/21/2022		APPEARANCE OF COUNSEL by Lauren E. Snyder for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730. [1001197630] [22-1721, 22-1730] Lauren Snyder	
07/21/2022		NOTICE ISSUED re: case caption. [1001197696] [22-1721, 22-1730] RP	
07/22/2022		RESPONSE/ANSWER by Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730 to to deconsolidate/sever , to remand case for limited purpose , . [1001198536] [22-1721, 22-1730] Tara Borelli	
07/22/2022		APPEARANCE OF COUNSEL by Omar Gonzalez-Pagan for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730. [1001198884] [22-1721, 22-1730] Omar Gonzalez-Pagan	
07/25/2022		APPEARANCE OF COUNSEL by David Brown for Michael D. Bunting, Jr., C.B., Dana Caraway, Jason Fleck, Maxwell Kadel, Julia McKeown, Sam Silvaine and Connor Thonen-Fleck in 22-1721, 22-1730. [1001199798] [22-1721, 22-1730] David Brown	
08/02/2022		COURT ORDER filed granting motion to deconsolidate/sever ; granting motion to remand case for limited purpose in 22-1730. Copies to all parties. [1001205143] [22-1721, 22-1730] RHS	
08/10/2022		MOTION by North Carolina State Health Plan for Teachers and State Employees to dismiss appeal pursuant to FRAP 42(b) [33]. Date	

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Date	#	Proceeding Text	Details
		and method of service: 08/10/2022 ecf. [1001209833] [22-1730] Mark Jones	
08/11/2022		ORDER filed granting motion to dismiss appeal pursuant to FRAP 42(b) . Copies to all parties. [1001210161] [22-1730] RHS	
08/11/2022		Rule 42(b) mandate issued. Originating case number: 1:19-cv-00272-LCB-LPA. [1001210167] [22-1730] RHS	
08/12/2022		Mediation forms. [1001210801] [22-1730] LHP	

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