

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
16 CVS 15607

WAKE COUNTY

FILED

NORTH CAROLINA STATE BOARD OF EDUCATION,
Plaintiff,

v.

STATE OF NORTH CAROLINA and
MARK JOHNSON, in his official capacity,
Defendants.

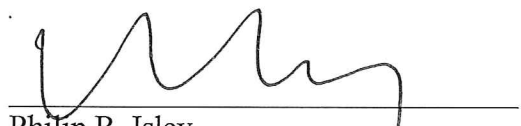
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**MOTION FOR SUMMARY
JUDGMENT**

NOW COMES, the North Carolina Superintendent of Public Instruction Mark Johnson (hereinafter referred to as the "Superintendent"), by and through the undersigned counsel, and pursuant to Rule 56 of the North Carolina Rules of Civil Procedure, hereby prays for an order granting summary judgment against the North Carolina State Board of Education on the grounds that the Superintendent is entitled to judgment as a matter of law because there is no genuine issue as to any material fact as established by the pleadings, the Affidavit of the Superintendent and any other relevant materials in this case.

This the 12th day of April, 2017.

BLANCHARD, MILLER, LEWIS & ISLEY, P.A.



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Motion for Summary Judgment** was served upon the following attorneys by U.S. Mail and e-mail to the following:

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This the 12th day of April, 2017.


Philip R. Isley