

SUPREME COURT OF NORTH CAROLINA

THE NEW HANOVER COUNTY)	
BOARD OF EDUCATION)	
)	Wake County
V.)	
)	
JOSHUA H. STEIN, in his capacity)	
as the ATTORNEY GENERAL OF)	
THE STATE OF NORTH)	
CAROLINA)	
)	
and)	
)	
NORTH CAROLINA COASTAL)	
FEDERATION, INC. and SOUND)	
RIVERS, INC.)	

ORDER

Plaintiff New Hanover County Board of Education’s Petition for Rehearing is denied. This Court’s 3 April 2020 opinion is modified as follows:

The final two sentences in footnote 8 are deleted. *New Hanover Cty. Bd. of Educ. v. Stein*, 840 S.E.2d 194, 209 n.8 (N.C. 2020). In their place, the following new sentences are inserted:

Although 2019 N.C. Sess. Laws 250, § 5.7.(c) provided that newly-enacted N.C.G.S. § 147-76.1 became effective on 1 July 2019, and would be applicable to all funds received on or after that date, the parties agreed that the provisions of newly-enacted N.C.G.S. § 147-76.1 would not have the effect of mootng this appeal. As a result, we will refrain from attempting to construe N.C.G.S. § 147-76.1 or to apply its provisions to the facts of this case. We express no opinion as to what effect, if any, N.C.G.S.

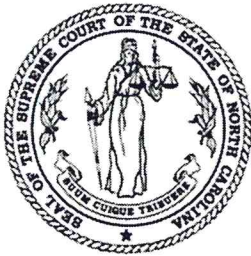
§ 147-76.1 has on the agreement or on any past or future payments made thereunder.

By Order of the Court in Conference, this 18th day of May, 2020.

Manac

For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 18 day of May, 2020.



AMY FUNDERBURK
Clerk of the Supreme Court

AF

Assistant Clerk

Copy to:

North Carolina Court of Appeals

Mr. Paul Stam, Attorney at Law, For The New Hanover County Board Of Education - (By Email)

Mr. R. Daniel Gibson, Attorney at Law, For The New Hanover County Board Of Education - (By Email)

Ms. Amy O'Neal, Attorney at Law, For De Luca, Francis X., et al - (By Email)

Ms. Jennie Wilhelm Hauser, Special Deputy Attorney General - (By Email)

Ms. Mary MacLean Asbill, Attorney at Law, For North Carolina Coastal Federation, et al - (By Email)

Ms. Brooks Rainey Pearson, Attorney at Law, For North Carolina Coastal Federation, et al - (By Email)

Ms. Blakely E. Hildebrand, Attorney at Law, For North Carolina Coastal Federation, et al - (By Email)

Mr. Marc Bernstein, Special Deputy Attorney General, For Stein, Josh (Attorney General) - (By Email)

Ms. Lindsey V. Smith, Attorney at Law, For NC School Boards Association - (By Email)

Ms. Deborah R. Stagner, Attorney at Law, For N.C. School Boards Association - (By Email)

Ms. Allison Schafter, Attorney at Law, For N.C. School Boards Association - (By Email)

Mr. James W. Doggett, Deputy Solicitor General, For Stein, Josh (Attorney General) - (By Email)

Mr. Matthew C Burke, Solicitor General Fellow, For Stein, Josh (Attorney General) - (By Email)

West Publishing - (By Email)

Lexis-Nexis - (By Email)