

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

EDDIE BOLLMEIER, et al.,)	
)	
Plaintiffs,)	
v.)	Case No. 3:15-cv-00111-RJC-DCK
)	
GARY HUMMEL, et al.,)	
)	
Defendants.)	
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NOTICE REGARDING DUPLICATE FILING OF COMBINED BRIEF

Plaintiffs Eddie Bollmeier, Bill Tracey, and Simon Parrott (“Plaintiffs”), provide notice that they filed a combined brief in duplicate as follows (1) Response in Opposition to Defendants’ Motion to Vacate/Motion to Dismiss [Doc. 35], and (2) Reply to Defendants’ Opposition to Plaintiffs’ Motion for TRO or Preliminary Injunction [Doc. 36]. The reason for this duplicate filing is that, although Plaintiffs had permission to file two separate briefs at 30 pages each, because there was significant overlap and duplication of issues raised in the briefs to which Plaintiffs were responding, Plaintiffs determined that one combined brief of 30 pages total would promote efficiency for the Court and the parties.

Counsel undersigned attempted to file the combined brief only once, and to designate it as responsive to multiple events (i.e., as both a “Response” to one event, and a “Reply” to another event), but the e-filing system would not accommodate this attempt. Accordingly, and out of an abundance of caution, counsel filed the brief twice, as Documents 35 and 36.

Undersigned counsel apologizes for any confusion created by this duplicate filing of a combined brief.

Respectfully submitted this 5th day of May, 2015.

/s/ Kelly J. Flood

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the Notice Regarding Duplicate Filing of Combined Brief with the Clerk of the court using the CM/ECF system. John Gresham, of Tin, Fulton Walker & Owen, has notified Plaintiffs' counsel that he is counsel for Defendants Bradford, Streble, Hummel, Stein, Nathan, Taylor, Dugstad, Milkey and Smyser. In the event that notification pursuant to the CM/ECF system cannot be sent to John Gresham, I hereby certify that the foregoing document was duly served upon counsel for the Defendants in accordance with the provisions of Rule 5 of the Federal Rules of Civil Procedure by depositing it in the United States Mail, first-class postage prepaid, addressed as follows:

John Gresham
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I hereby certify that I additionally emailed this Motion to Mr. Gresham this same date at jgresham@tinfulton.com.

I hereby certify that, with respect to the Defendants who have to our knowledge not been served or are evading service, I have placed a copy of this motion in the United States Mail, certified first-class postage prepaid, return receipt requested, addressed as follows:

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Dated this 5th day of May, 2015.

/s/ Kelly J. Flood

Kelly J. Flood