

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
CASE NO. 21 CVS 17585

Defendants.

ORDER

MECKLENBURG COUNTY
) FILED #111
)
)
) MAY 16 2023
)
AT _____ O'CLOCK ____ M
BY _____
CLERK OF SUPERIOR COURT

RECEIVED
MAY 23 2023
OFFICE OF GENERAL COUNSEL

1. Plaintiff's Motion for Summary Judgment, as it relates to Defendants' violation of the Open Meetings Law, N.C. Gen. Stat. §§ 143-318.16(a), is GRANTED.

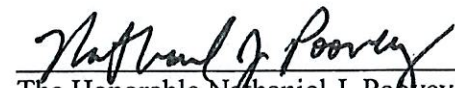
2. Defendants' Motion for Summary Judgment, as it relates to Plaintiff's Task Force created by former Superintendent Winston, N.C. Gen. Stat. §§ 143-318.9, is GRANTED.

Pursuant to N.C. Gen. Stat. §§ 143-318.16(a) and 1-253, the Court declares that Defendants must:

- (i) permit the public to attend in-person Board meetings unless one or more Board member(s) is participating virtually during certain declarations of emergency, § 166A-19.24(a), (i);
- (ii) provide clear online notice of the time and place of all regularly scheduled Board meetings on all web pages that Defendants identified in their Response to Interrogatories in this litigation, and provide notice of any changes to closed session meeting time and locations on these web pages, § 143-318.12;
- (iii) convene closed session meetings only after "a motion duly made and adopted" has been made in open session, § 143-318.11(c);
- (iv) revise the July 1, 2021 closed session meeting minutes to ensure that they provide "a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired," § 143-318.10(e); and
- (v) ensure that future closed session meeting minutes provide a "general account" within the meaning of § 143-318.10(e).

3. Plaintiff's request for attorneys' fees is DENIED. The parties shall bear their own attorneys' fees and costs.

SO ORDERED this the 17 day of May, 2023.


The Honorable Nathaniel J. Poovey
Superior Court Judge