

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Civil Action No. 5:17-CV-25-FL

PHIL BERGER, et al.,)	
)	
Plaintiffs,)	
v.)	NOTICE OF WITHDRAWAL
)	OF MOTION FOR
THOMAS E. PRICE, M.D., et al.,)	PRELIMINARY INJUNCTION
)	
Defendants.)	

TO THE COURT AND DEFENDANTS AND THEIR COUNSEL:

PLEASE TAKE NOTICE that, because State Defendants have not yet submitted a State Plan Amendment to Federal Defendants, and because Plaintiffs are continuing their efforts to secure a resolution of this matter with Federal Defendants, Plaintiffs hereby withdraw their motion for a preliminary injunction. *See* Plaintiffs Phil Berger & Tim Moore’s Motion for a Temporary Restraining Order (Jan. 14, 2017), Doc. 6; Notice at 2 n.1 (Jan. 18, 2017), Doc. 27. Plaintiffs’ withdrawal is without prejudice to moving for such relief again in the future if circumstances change.

Dated: April 17, 2017

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Respectfully submitted,

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Local Civil Rule 83.1 Counsel for
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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which shall send notification of such filing to the following:

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