

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA**

NORTH CAROLINA ALLIANCE FOR  
RETIRED AMERICANS,

*Plaintiff,*

v.

ALAN HIRSCH, in his official capacity as  
Chair of the North Carolina State Board of  
Elections; JEFF CARMON, in his official  
capacity as Secretary of the North Carolina  
State Board of Elections; STACY EGGERS  
IV, KEVIN N. LEWIS, and SIOBHAN  
O'DUFFY MILLEN, in their official  
capacities as members of the North Carolina  
State Board of Elections; KAREN BRINSON  
BELL in her official capacity as Executive  
Director of the State Board of Elections,

*Defendants,*

and

PHILIP E. BERGER, in his official  
capacity as President Pro Tempore of  
the North Carolina Senate, and  
TIMOTHY K. MOORE, in his official  
capacity as Speaker of the North  
Carolina House of Representatives,

*Intervenors.*

CASE NO. 5:24-cv-275-D-RJ

**SUGGESTION OF SUBSEQUENTLY DECIDED CONTROLLING AUTHORITY**

Pursuant to Local Civil Rule 7.1(h), Intervenors respectfully submit this Suggestion of Subsequently Decided Controlling Authority to advise the Court of the U.S. Supreme Court's decision in *FDA v. Alliance for Hippocratic Medicine*, No. 23-235, 602 U.S. \_\_\_\_, 2024 WL 2964140 (June 13, 2024). A copy of the slip opinion is attached as Exhibit A.

Dated: June 18, 2024

/s/ Nicole J. Moss

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Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that, on June 18, 2024, I electronically filed the foregoing Suggestion with the Clerk of the Court using the CM/ECF system which will send notification of such to all counsel of record in this matter who have registered for CM/ECF in this District. The undersigned counsel further certifies that I am serving the foregoing Suggestion via mail to the following counsel who have not registered for CM/ECF in this District:

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