

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
17-CVS-000144

COUNTY OF WAKE

NORTH CAROLINA AMBULATORY )  
SURGICAL CENTER ASSOCIATION, )  
SURGICAL CARE AFFILIATES, LLC, )  
AND COMPASS SURGICAL PARTNERS, )  
LLC, )

Plaintiffs-Appellees, )

v. )

THE NORTH CAROLINA INDUSTRIAL )  
COMMISSION, )

Defendant-Appellant. )

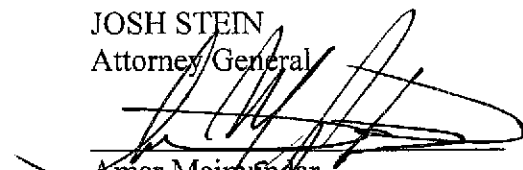
**NOTICE OF APPEAL**

TO THE HONORABLE NORTH CAROLINA COURT OF APPEALS:

NOW COMES the North Carolina Industrial Commission, pursuant to N.C.G.S. §§ 1-277 and 7A-27, and hereby gives notice of appeal to the North Carolina Court of Appeals from the Order Granting Summary Judgment entered on 21 March 2017 by the Honorable G. Bryan Collins, Judge Presiding, Superior Court, Wake County, reversing the effect of the amendment of 04 NCAC 10J .0103, previously approved by the North Carolina Rules Review Commission, and entered by the North Carolina Industrial Commission.

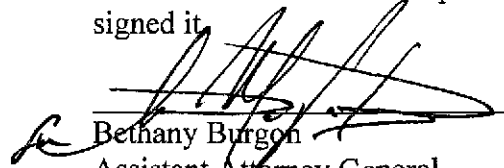
Respectfully submitted this the 17<sup>th</sup> day of April, 2017.

JOSH STEIN  
Attorney General



Amar Majmundar  
Special Deputy Attorney General  
N.C. State Bar No. 24668  
N.C. Department of Justice  
Post Office Box 629  
Raleigh, N.C. 27602  
(t) 919.716.6821  
(f) 919.716.6759  
amajmundar@ncdoj.gov

N.C. R. App. P. 33(b) Certification:  
I certify that the attorney listed below  
has authorized me to list her name on  
this document as if she had personally  
signed it

A handwritten signature in black ink, appearing to read "Bethany Burgon", is written over a horizontal line. The signature is stylized and somewhat cursive.

Bethany Burgon  
Assistant Attorney General  
N.C. State Bar No. 33369  
N.C. Department of Justice  
Post Office Box 629  
Raleigh, N.C. 27602  
(t) 919.716.6886  
(f) 919.716.6756  
bburgon@ncdoj.gov

*Counsel for Defendant-Appellant*

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this day served the foregoing **NOTICE OF APPEAL** in the above titled action upon all other parties to this cause by:

- Hand-delivering a copy hereof to each said party or to the attorney thereof
- Transmitting a copy hereof to each said party via email; or
- Depositing a copy hereof, first-class postage pre-paid, in the United States mail, properly addressed to:

Renee J. Montgomery  
Matthew W. Wolfe  
PARKER POE ADAMS & BERNSTEIN LLP  
Post Office Box 389  
Raleigh, NC 27602-0389  
[reneemontgomery@parkerpoe.com](mailto:reneemontgomery@parkerpoe.com)  
[mattwolfe@parkerpoe.com](mailto:mattwolfe@parkerpoe.com)

This the 17<sup>th</sup> day of April, 2017.

  
Amar Majmudar  
Special Deputy Attorney General