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

)

)

MICHAEL BATEMAN, et al.,

Plaintiffs,

v.

BEVERLY PERDUE, et al.,

Defendants.

) Case No. 5:10-CV-265-H

) PLAINTIFFS' MOTION FOR) SUMMARY JUDGMENT

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

COME NOW the Plaintiffs, Michael Bateman, Virgil Green, Forrest Minges, Jr.,

GRNC/FFE, Inc., and Second Amendment Foundation, Inc., by and through undersigned

counsel, and move this Honorable Court for entry of summary judgment in their favor and

against defendants pursuant to Federal Rule of Civil Procedure 56.

Dated: November 8, 2010

Respectfully submitted,

/s/ Alan Gura Alan Gura Gura & Possessky, PLLC 101 N. Columbus Street, Suite 405 Alexandria, VA 22314 703.835.9085/Fax 703.997.7665

Counsel for Plaintiffs

/s/ Andrew Tripp N.C. State Bar 34254 atripp@brookspierce.com

Andrew Tripp Kearns Davis BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD, L.L.P. 1600 Wachovia Center 150 Fayetteville Street Raleigh, NC 27601 Telephone: 919-839-0300 Facsimile: 919-839-0304

Local Civil Rule 83.1 Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this the 8th day of November, 2010, I electronically filed the foregoing Motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Andrew T. Tripp Kearns Davis Brooks, Pierce, McLendon Humphrey & Leonard, L.L.P. P.O. Box 1800 Raleigh, NC 27602

Henry W. Jones, Jr. Lori P. Jones Jordan Price Wall Gray Jones & Carlton, PLLC 1951 Clark Avenue P.O. Box 10669 Raleigh, NC 27605 Walter W. Pitt, Jr. Kevin G. Williams Bell, Davis & Pitt P.O. Box 21029 Winston-Salem, NC 27120

Mark A. Davis Special Deputy Attorney General North Carolina Dept. of Justice P. O. Box 629 Raleigh, NC 27602

/s/Alan Gura Counsel for Plaintiffs