

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 09 CV 24628

NORTH CAROLINA COASTAL  
FEDERATION, CAPE FEAR RIVER  
WATCH, and PENDERWATCH &  
CONSERVANCY,

Petitioners,

v.

NORTH CAROLINA DEPARTMENT  
OF ADMINISTRATION and NORTH  
CAROLINA DEPARTMENT OF  
ENVIRONMENT AND NATURAL  
RESOURCES,

Respondents,

and

CAROLINAS CEMENT COMPANY LLC,

Respondent-Intervenor

BY \_\_\_\_\_

WAKE COUNTY, C.S.C.

2010 JUN -1 PM 4:00

FILED

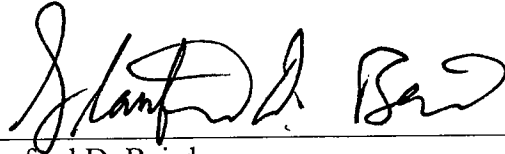
NOTICE OF APPEAL

TO THE HONORABLE COURT OF APPEALS  
OF NORTH CAROLINA:

Respondent-Intervenor Carolinas Cement Company LLC, pursuant to Rule 3 of the North Carolina Rules of Appellate Procedure, hereby gives notice of appeal to the Court of Appeals of North Carolina from the Order in the above-captioned matter entered on May 3, 2010 in the Superior Court of Wake County, denying Respondent North Carolina Department of Environment and Natural Resources' Motion to Dismiss, denying Respondent-Intervenor's Motion to Dismiss and Motion to Strike, reversing the declaratory ruling of the North Carolina Department of Administration, granting Petitioners the relief sought in their Petition for Judicial Review, and enjoining the Department of Environment and Natural Resources from taking action

on Carolinas Cement Company LLC's proposed facility without first complying with the North Carolina Environmental Policy Act.

Respectfully submitted this the 1st day of June, 2010.



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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **NOTICE OF APPEAL** was served on the following parties by electronic transmission and by depositing a copy thereof in an official depository of the United States Postal Service, to be delivered via First Class mail in envelopes with sufficient postage attached and addressed as follows:

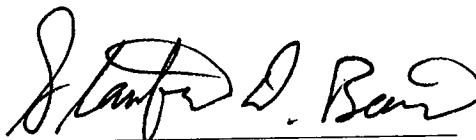
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This the 1st day of June, 2010.



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