

FILED: July 9, 2024

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

No. 24-1576 (L)  
(1:23-cv-00077-CCE-LPA)

---

AMY BRYANT, M.D.

Plaintiff - Appellee

v.

TIMOTHY K. MOORE; PHILIP E. BERGER

Intervenors/Defendants - Appellants

and

JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina; JEFF NIEMAN, in his official capacity as District Attorney for North Carolina 18th Prosecutorial District; KODY H. KINSLEY, in his official capacity as the North Carolina Secretary of Health and Human Services; MICHAUX R. KILPATRICK, M.D., PHD; CHRISTINE M. KHANDELWAL, DO, in her official capacity as a member of the North Carolina Medical Board; DEVDUTTA G. SANGVAI, M.D., MBA, in his official capacity as a member of the North Carolina Medical Board; JOHN W. RUSHER, M.D., JD, in his official capacity as a member of the North Carolina Medical Board; WILLIAM M. BRAWLEY, in his official capacity as a member of the North Carolina Medical Board; W. HOWARD HALL, M.D., in his official capacity as a member of the North Carolina Medical Board; SHARONA Y. JOHNSON, PHD, FNP-BC; JOSHUA D. MALCOLM, JD, in his official capacity as a member of the North Carolina Medical Board; MIGUEL A. PINEIRO, PA-C, MHPE, in his official capacity as a member of the North Carolina Medical Board; MELINDA H. PRIVETTE, M.D., JD, in her official capacity as a member of the North Carolina Medical Board; ANURADHA RAO-PATEL, M.D., in her official capacity as a member of the North Carolina Medical Board; ROBERT RICH, JR., M.D., in his

official capacity as a member of the North Carolina Medical Board

Defendants - Appellees

---

No. 24-1600  
(1:23-cv-00077-CCE-LPA)

---

AMY BRYANT, M.D.

Plaintiff - Appellant

v.

TIMOTHY K. MOORE; PHILIP E. BERGER

Intervenors/Defendants - Appellees

and

JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina; JEFF NIEMAN, in his official capacity as District Attorney for North Carolina 18th Prosecutorial District; KODY H. KINSLEY, in his official capacity as the North Carolina Secretary of Health and Human Services; PHD MICHAUX R. KILPATRIC, M.D.; DO CHRISTINE M. KHANDELWAL, in her official capacity as a member of the North Carolina Medical Board; MBA DEVDUTTA G. SANGVAI, M.D., in his official capacity as a member of the North Carolina Medical Board; JD JOHN W. RUSHER, M.D., in his official capacity as a member of the North Carolina Medical Board; WILLIAM M. BRAWLEY, in his official capacity as a member of the North Carolina Medical Board; W. HOWARD HALL, M.D., in his official capacity as a member of the North Carolina Medical Board; PHD, FNP-BC SHARONA Y. JOHNSON; JD JOSHUA D. MALCOLM, in his official capacity as a member of the North Carolina Medical Board; PA-C, MHPE MIGUEL A. PINIERO, in his official capacity as a member of the North Carolina Medical Board; JD MELINDA H. PRIVETTE, M.D., in her official capacity as a member of the North Carolina Medical Board; ANURADHA RAO-PATEL, in her official capacity as a member of the North Carolina Medical Board; ROBERT RICH, JR., M.D., in his official capacity as a member of the North Carolina Medical Board

Defendants - Appellees

---

No. 24-1617  
(1:23-cv-00077-CCE-LPA)

---

AMY BRYANT, M.D.

Plaintiff - Appellee

v.

JOSHUA H. STEIN, in his official capacity as Attorney General for the State of North Carolina

Defendant - Appellant

and

TIMOTHY K. MOORE; PHILIP E. BERGER

Intervenors/Defendants - Appellees

WILLIAM M. BRAWLEY, in his official capacity as a member of the North Carolina Medical Board; W. HOWARD HALL, M.D., in his official capacity as a member of the North Carolina Medical Board; PHD, FNP-BC SHARONA Y. JOHNSON; KODY H. KINSLEY, in his official capacity as the North Carolina Secretary of Health and Human Services; DO CHRISTINE M. KHANDELWAL, in her official capacity as a member of the North Carolina Medical Board; PHD MICHAUX R. KILPATRICK, M.D.; JD JOSHUA D. MALCOLM, in his official capacity as a member of the North Carolina Medical Board; JEFF NIEMAN, in his official capacity as District Attorney for North Carolina 18th Prosecutorial District; PA-C, MHPE MIGUEL A. PINEIRO, in his official capacity as a member of the North Carolina Medical Board; JD MELINDA H. PRIVETTE, M.D., in her official capacity as a member of the North Carolina Medical Board; ANURADHA RAO-PATEL, in her official capacity as a member of the North Carolina Medical Board; ROBERT RICH, JR., M.D., in his official capacity as a member of the North Carolina Medical Board; JD JOHN W. RUSHER, M.D., in

his official capacity as a member of the North Carolina Medical Board; MBA DEVDUTTA G. SANGVAI, M.D., in his official capacity as a member of the North Carolina Medical Board

Defendants

---

O R D E R

---

The court consolidates Case No. 24-1576, Case No. 24-1600, and Case No. 24-1617 as cross-appeals. The appellant in Case No. 24-1576 shall be considered the appellant for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case.

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk