

W A I V E R

Supreme Court, U.S.
FILED

OCT 30 2023

OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

No. 23-296

Michael L. Kiser, et al.

(Petitioner)

Duke Energy Carolinas, LLC, et al.

V.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- ☐ I am filing this waiver on behalf of all respondents.
- ☒ I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

Please see list set forth upon Exhibit A attached hereto, which is incorporated herein by this reference

Please check the appropriate box:

- ☐ I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- ☒ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature:

Date:

10/27/2023

(Type or print) Name

Mark L. Childers

☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm

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A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc:

Dennis Edward Boyle

RECEIVED

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SUPREME COURT, U.S.

- (1) JEANNENE H. ALLEN and JEAN B. HUGHES;
- (2) TERRY ATTINGER and KARA ATTINGER;
- (3) MILES CLARK BELVIN;
- (4) JEFFREY LYNN BRYANT and BARBARA TUCKER BRYANT;
- (5) WILLIAM L. BULLARD and ANN K. BULLARD;
- (6) JEFFREY H. CARLISLE;
- (7) JAMES THOMAS CARROLL and ELIZABETH L. CARROLL;
- (8) LAURENCE W. CARSTENSEN, Trustee of the LAURENCE W. CARSTENSEN LIVING TRUST dated April 17, 2012;
- (9) PATRICIA H. CARTENSEN, Trustee of the PATRICIA H. CARTENSEN LIVING TRUST dated April 17, 2012;
- (10) WAYNE F. CHERRY and CONNIE G. CHERRY;
- (11) BRENT AARON CURTIS and KATHRYN ROSENE CURTIS;
- (12) JOSEPH PAUL DUCEY and DIANE ELIZABETH DUCEY;
- (13) M. NEIL FINGER;
- (14) DENNIS FRITZLER and TRACY FRITZLER;
- (15) DAVID W. GERARD AND BARBARA A. GERARD, Trustees of the DAVID W. GERARD TRUST dated December 5, 2000;
- (16) BARBARA A. GERARD AND DAVID W. GERARD, Trustees of the BARBARA A. GERARD TRUST dated December 5, 2000;
- (17) TERRANCE E. GILBERT and DONNA L. GILBERT;
- (18) JOSEPH H. GLENN, IV and KIMBERLY DAUB GLENN;
- (19) DANIEL GONZALES and TRACY GONZALES;
- (20) JOSEPH B. GRADY and THOMAS M. GRADY;
- (21) JEANNE HAWVER;
- (22) ERIC C. HAYNES and TONYA M. HAYNES;
- (23) JERRY LEE HOOPER and BARBARA N. HOOPER;
- (24) SCOTT M. HOPKINS and NANCY A. HOPKINS;
- (24) ISLAND PROPERTIES OWNERS ASSOCIATION, INC.;
- (25) WARREN LEE JONES, Trustee of the WARREN LEE JONES TRUST established under the EVELYN BALLARD JONES LIVING TRUST dated 9/21/2006, as amended;
- (26) STUART BARRY JONES;
- (27) J. FREDERICK LITTLEJOHN and CATHY D. LITTLEJOHN;
- (28) JOHN MARTIN MCCOY and SUSAN KNIGHT MCCOY;
- (29) PAMELA ROBINSON MCGUIRE and JOHNNY REGINALD MCGUIRE;
- (30) BROWN D. OVERCASH, JR. and KETTI W. OVERCASH;
- (31) JAMES S. POPE and BETTY JO POPE;
- (32) DAVID W. MILKINS and PATRICIA M. MILKINS GARLAND HUGHES;
- (33) REBECCA LEE SHELL;
- (34) SCOTT SOMERVILLE and RENEE SOMERVILLE;
- (35) DAVID J. SUICH and SHERRY R. SUICH;
- (36) SUNSET POINTE, LLC;
- (37) WALTER A. TROTT and KELLEY B. TROTT;
- (38) CLARENCE MICHAEL UNDERWOOD and JANNA H. UNDERWOOD;
- (40) ROBERT S. WELLER and ELIZABETH A. WELLER;

- (41) GARRY R. WILKINSON AND SANDRA S. WILKINSON, Trustees under the GARRY R. WILKINSON REVOCABLE TRUST AGREEMENT dated April 8, 2016;
- (42) SANDRA S. WILKINSON AND GARRY R. WILKINSON, Trustees under the SANDRA S. WILKINSON REVOCABLE TRUST AGREEMENT dated April 8, 2016;
and
- (43) SAMUEL A. YOUNG, JR. and KIMBERLY A. YOUNG;
- (44) JASON ALBERT WALSER AND HIS BROTHER, ADAM CARTER WALSER,
- (45) LAURENCE W. CARSTENSEN, TRUSTEE OF THE LAURENCE W. CARSTENSEN LIVING TRUST DATED APRIL 17, 2012,” AND “PATRICIA H. CARSTENSEN, TRUSTEE OF THE PATRICIA H. CARSTENSEN LIVING TRUST DATED APRIL 17, 2012;
- (46) TRACY LEE HOOPER AND JERRY BRYAN HOOPER;
- (47) ANN GARDNER GLENN and husband, ROBERT MICHAEL WHITNELL