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**S. Chuck Kitchen, Partner
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May 13, 2020

The Honorable Roy Cooper
Governor of the State of North Carolina
20301 Mail Service Center
Raleigh, NC 27699-0301

Re: Executive Order 138

Dear Governor Cooper:

I have been retained by the Hair is Essential Association to represent it and Beauty Salon workers which have been put out of work by various Executive Orders with Executive Order 138 being the current order. These citizens were put out of work due to your earlier Executive Order 120 on March 23, 2020. The people holding these jobs do not make the kind of money where they can afford to be unemployed for two months.

After reviewing Executive Orders 120, 121, 135, and 138, we have determined that these Orders are *ultra vires* and without effect since they were issued in violation of N.C. Gen. Stat. § 166A-19.30(b). Further, the closing of Beauty Salons was in violation of Art. I, sec. 1 of the North Carolina Constitution, the Fruits of Their Own Labor Clause.

People have the inalienable right to earn a living. Neither you nor the State have the right to preclude citizens using their own means from pursuing their chosen vocation. The preservation of this right is the principal reason for the Constitution itself. By ordering the closure, by executive fiat, of the Beauty Salons in North Carolina, you have violated the essence of the Constitution.

If the restriction on operating Beauty Salons is not lifted by Monday, May 18, 2020 at noon, it is our intention to file an action to compel compliance with the General Statutes and the Constitutional provision. I hope you will consider the harm you are doing to the citizens working in this profession, and lift this restriction.

Sincerely,

S. C. Kitchen

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