

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
09 CVS 019409

WALTER W. BLACKBURN,
Plaintiff,

v.

L.E. WOOTEN & COMPANY, a North
Carolina Corporation, AMOS L. MOORE,
JR., DAN K. BOONE, V. STEPHEN
PLAYER, ROBERT E. EGAN, RALPH S.
MOBLEY, JR., and MARC REESE,
Defendants.

**ORDER DENYING PLAINTIFF'S
OPPOSITION TO DESIGNATION**

THIS MATTER is before the Court on Plaintiff's Opposition to Defendants' Notice of Designation of Action as a Mandatory Complex Business Case (the "Opposition"). Plaintiff filed the Complaint in Wake County on September 21, 2009. On October 21, 2009, Defendants filed a Notice of Designation. The Chief Justice of the Supreme Court of North Carolina entered the Designation Order on October 22, 2009, and this action was assigned to the Honorable John R. Jolly. Plaintiff filed the Opposition on November 20, 2009.

Upon review of submissions by counsel, the Court hereby DENIES the Opposition. The allegations in the Complaint involve a breach of fiduciary duty and the failure to pay dividends and fall within the mandatory jurisdiction of the Business Court.

IT IS SO ORDERED, this the 10th day of December, 2009.

/s/ Ben F. Tennille
The Honorable Ben F. Tennille
Chief Special Superior Court Judge
for Complex Business Cases