

STATE OF NORTH CAROLINA  
COUNTY OF ONSLOW

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
09 CVS 3608

STEPHEN ABRAHAM, JOSEPH AND DEBRA  
ALEXANDER, EVAN AND DONNA ALLSEITZ,  
JOHN BACK AND MAUREEN CARY-BACK,  
JEANNE AND RANDALL BALDERSON,  
DAVID BAYS, RENEE BEERMAN, MARY  
AND RICHARD BLESSING, TERRENCE AND  
PATRICE BROWN, GEORGE AND  
GWENDOLYN BURNS, KRISTIN AND HON  
CHAN AND OTHELLO WILLIAMS, CHARLES  
DAVID AND KATE CLARK, GAIL C. AND  
MAURICE CLARKE, DANIEL B. COLE, LISA  
AND JOSEPH CONWAY, BRYAN CURTIS,  
TERRY DAWKINS AND RHONDA BROOKS,  
MARY AND THOMAS, DAVIS KRISTEN  
DIVINEY, CHERYL AND CHRIS DOLAN,  
ANDREW M. AND KAREN DUGGAN,  
CHRISTIAN A. AND AMY DUX, MOHAMED  
AND CHRISTINE ELANSARY, DOUGLAS  
AND ALICIA EWELL, BETH A. FEELEY,  
MARY AND MATTHEW FREDERICK, STACY  
FREED AND THOMAS ERBLAND, JOHN AND  
KRISTEN FULCHER, JASON AND PAULA  
VANN FULTON, KENNETH AND ERIN  
GAUDREAU, WILLIAM AND BABETTE  
HALE, RANDY HALVERSON, CRAIG B.  
HANFORD, JOHN HILL, DEBRA J. AND  
DAVID HOY, FREDERICK AND LAURA  
HUNTER, BASHEER AND KIM ILYAS,  
ELISABETH J. AND DAVID JACKSON, KEVIN  
KEETON, ROBERT KERR, SHIRLEY KING,  
MICHAEL AND KRISTI ALLI, EDWARD AND  
KAREN LEWIS, EDWARD M. AND JAMIE  
MAHONEY, ALLEN AND LORRIE  
McCULLOCK, GREG AND ELIZABETH  
MILLER, SEAN MYKIETYN, ABE AND  
DEBORAH NADER, BONNIE O'HEARN,  
PEGGY L. AND ANTHONY PAPER, JAY  
PATEL, SANFORD J. PAYNE, CYRESA AND  
REGINALD PERKINS, CHRISTIAN PERNELL,  
JOSEPH POZDA, JOHN P. AND MERRIE J.  
PRICE, JON AND NATALIE DIANE RARDIN,  
SHERRYL AND DONALD SALTZMAN, NEIL

SEITZ, JOSEPH AND KERRY SHEAFFER,  
DALLAS AND NANCY SIMONS, GARY AND  
KAREN SMERDZINSKI, JAMES AND  
REBECCA SMITH, LEE SPRUELL, THOMAS  
STEWART, NINA SUMMERS, JEFFREY  
THOMAS, JOSEPH R. AND DONNA  
THOMPSON, EDWARD AND KATHY  
TIERNAN, KATHLEEN AND ALBERT TUTEM,  
MICHELLE TUTEM, TOM AND MARTHA  
VERBANIC, HOU WANG, JAMES  
WHITEHEAD, LESLIE WILLIAMS, and  
AUDREY AND CURTIS WITHERSPOON,

Plaintiffs,

v.

JOSEPH JAUREGUI, CARLOS WATSON, THE  
JAUREGUI LAW FIRM, P.L.L.C., WATSON  
AND ROBINSON, L.L.P., TRACEY ROBINSON,  
BRAD WATSON, JOHN TODD, BERTHADALE  
BEST, EMILY ADAMS, SYLVIA BLANDFORD,  
JAMES S. WAGONER, DOROTHY M.  
CARPENTER, THOMAS BARTON, VENA  
ROBINSON, ALAN SULLIVAN, JOHN TODD  
d/b/a JOHN TODD APPRAISAL SERVICES,  
DALE BEST REALTY & APPRAISAL  
SERVICE, INC., EMILY ADAMS d/b/a ADAMS  
APPRAISALS, SYLVIA BLANDFORD &  
ASSOCIATES, APPRAISERS, INC., WAGONER  
INSURANCE & REALTY, LLC, HARBOR  
REAL ESTATE, INC., THOMAS BARTON d/b/a  
TAB APPRAISAL SERVICE, VENA ROBINSON  
d/b/a ROBINSON REAL ESTATE APPRAISALS,  
INC., ALAN SULLIVAN & ASSOCIATES,  
APPRAISERS, LLC, CHRISTINA PERDUE,  
PARAGON MORTGAGE CONSULTANTS,  
INC., and HOMEFOCUS SERVICES, LLC,

Defendants.

### **ORDER OVERRULING OPPOSITION TO DESIGNATION**

For the reasons set forth below, Plaintiffs' Objection to Defendants' Notice of Designation is overruled.

This case is similar to at least one other case pending before the North Carolina Business Court. *See* Allen v. Land Resource Group of North Carolina, LLC, No. 08CVS1283 (N.C. Super. Ct.). The case arises out of real estate developments which failed during the current financial crisis and involved complex questions relative to the interrelationship of parties associated with the sales transactions. These types of cases fit the mandatory jurisdiction because they require decisions relating to parent-subsidary companies and LLCs. They are especially suited for consideration by the Business Court because: (1) they involve numerous parties, (2) they involve complex issues, (3) they involve current issues relating to real estate development that will result in written opinions of use to the bar and business community, (4) they may involve resolution of multi-state legal issues, (5) they will require coordination with bankruptcy courts and other federal courts, (6) they require management by one judge, (7) they will benefit from consistent legal rulings on the same kinds of issues, (8) they will be motion intensive, and (9) they will benefit from the use of the Court's electronic filing system.

SO ORDERED, this the 24th day of November, 2009.

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