

STATE OF NORTH CAROLINA
COUNTY OF RUTHERFORD

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
08 CVS 1283

HERSCHEL ALLEN and wife, ELIZABETH P. ALLEN; SVEN RONNY CARLSSON and wife, SUSAN P. CARLSSON a/k/a CARLSSON INVESTMENTS, LLC; WAYNE COX and wife, JOSEPHINE COX; GLENN A. DAY and wife, KATHERINE KOSTOFF-DAY; CALVIN C. HENDERSON and wife, ELAINE W. HENDERSON; JOHN J. KASIANOWICZ and wife, RACHEL H. KASIANOWICZ; JILL ANNE LYCAN; GLENN M. SWARTZ and wife, DAWNA L. SWARTZ; DAVID LEE WOOD; STEPHEN PETER BLOOM; MARCOS I. RUBERT and wife, KATHRYN M. RUBERT; and BRIAN J. KREBS,

Plaintiffs,

v.

LAND RESOURCE GROUP OF NORTH CAROLINA, LLC, a North Carolina limited liability company; LAND RESOURCE DEVELOPMENT GROUP, INC., a Georgia corporation; LAND RESOURCE GROUP, INC., a Georgia corporation; LR BUFFALO CREEK, LLC, a Georgia limited liability company; LAND RESOURCE, LLC a/k/a LAND RESOURCE COMPANIES, LLC, a Georgia limited liability company; MIKE FLASKEY; J. ROBERT WARD; PAUL BEIDEL; ROB VACKO; SCRIPPS NETWORK INTERACTIVE d/b/a HGTV; WACHOVIA BANK, N.A.; MITCH BEN MILLER; SOUTHERN H.O.A. MANAGEMENT, LLC; CLARK CHAMPION; TAMMY MIKESELL; ROBERT L. HULLETT; HOWARD HULLETT APPRAISALS AND REALTY, INC.; SHANNON GLOVER; EDDIE H. GILBERT; LYNN SESSOMS; EHG APPRAISAL SERVICES; SUSAN GARREN; MARIE A. FOX; HOMEFOCUS VALUATION SERVICES, LLC; TWO DAY APPRAISAL;

**ORDER ON MOTION FOR
SANCTIONS**

RANDY COCHRAN; JEANETTE MANNER-JONES; BRANCH BANKING & TRUST COMPANY; BANK OF AMERICA CORPORATION; JOHN DOE OFFICERS OF LAND RESOURCE GROUP OF NORTH CAROLINA, LLC; JOHN DOE OFFICERS OF LAND RESOURCE DEVELOPMENT GROUP, INC.; JOHN DOE OFFICERS OF LAND RESOURCE GROUP, INC.; JOHN DOE OFFICERS OF LR BUFFALO CREEK, LLC; JOHN DOE OFFICERS OF LAND RESOURCE, LLC a/k/a LAND RESOURCE COMPANIES, LLC; JOHN DOE DIRECTORS OF LAND RESOURCE GROUP OF NORTH CAROLINA, LLC; JOHN DOE DIRECTORS OF LAND RESOURCE GROUP, INC.; JOHN DOE DIRECTORS OF LAND RESOURCE DEVELOPMENT GROUP, INC.; JOHN DOE DIRECTORS OF LR BUFFALO CREEK, LLC; JOHN DOE DIRECTORS OF LAND RESOURCE LLC a/k/a LAND RESOURCE COMPANIES, LLC; JOHN DOE APPRAISER; and JOHN DOE REAL ESTATE AGENT,

Defendants.

THIS MATTER comes before the Court upon the Motion of Defendant Randal Cochran and Purported Defendant Two Day Appraisal for sanctions against Plaintiffs. The Court hereby DENIES the Motion. Moving counsel has failed to comply with their meet and confer obligations. See BCR 18.6(a). This reason alone is sufficient for the Court to deny the Motion. Wicks v. Moody, No. 07-CVS-6038 (N.C. Super. Ct. May 14, 2008).

SO ORDERED, this 21st day of December, 2009.

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