

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