

STATE OF NORTH CAROLINA

File No.

Wake County

In The General Court Of Justice
District Superior Court Division

Name Of Plaintiff: ELIZABETH BRUCE STRATTON
Address
City, State, Zip

CIVIL SUMMONS
ALIAS AND PLURIES SUMMONS

G.S. 1A-1, Rules 3, 4

VERSUS
Name Of Defendant(s): RBC CENTURA BANKS, INC.

Date Original Summons Issued
Date(s) Subsequent Summons(es) Issued

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1: RBC Centura Banks, Inc.
By Service Upon John B. Fleming, Jr.,
Registered Agent for Service of Process
3201 Beachleaf Court
Raleigh, NC 27604

Name And Address Of Defendant 2

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

- 1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served.
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (If None, Address Of Plaintiff): L. Bruce McDaniel
P. O. Box 58186
Raleigh, NC 27658

Date Served: 9/20/07
Time: 3:00
AM PM
Signature: [Handwritten Signature]
Deputy CSC Assistant CSC Clerk Of Superior Court

ENDORSEMENT

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement
Time
AM PM
Signature
Deputy CSC Assistant CSC Clerk Of Superior Court

NOTE TO PARTIES: Many counties have MANDATORY ARBITRATION programs in which most cases where the amount in controversy is \$15,000 or less are heard by an arbitrator before a trial.

07CV015079

STATE OF NORTH CAROLINA

File No.

Wake County

In The General Court Of Justice

District Superior Court Division

Name Of Plaintiff 1
Elizabeth Bruce Stratton

Tax ID/SSN

Name Of Plaintiff 2

Tax ID/SSN

Name Of Plaintiff 3

Tax ID/SSN

VERSUS

Name Of Defendant 1
RBC Centura Banks, Inc.

Tax ID/SSN Summons Submitted Yes No

Name Of Defendant 2

Tax ID/SSN Summons Submitted Yes No

Name Of Defendant 3

Tax ID/SSN Summons Submitted Yes No

FILED GENERAL
CIVIL ACTION COVER SHEET
2007 SEP 20 P 3 25
 INITIAL FILING SUBSEQUENT FILING
WAKE COUNTY CSC
Rule 50, Rules of Practice For Superior and District Courts

Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)
L. Bruce McDaniel
P. O. Box 58186
Raleigh, NC 27658

Attorney Bar No.

Initial Appearance In Case Change Of Address

Name Of Firm
McDaniel & Anderson, L.L.P.

Tax ID No. Telephone No. Fax No.
919-872-3000

Counsel for
 All Plaintiffs All Defendants Only (List party(ies) represented)

Amount in controversy does not exceed \$15,000.
 Stipulate to arbitration.

Jury Demanded In Pleading? No Yes

TYPE OF PLEADING

CLAIM FOR RELIEF FOR

- (check all that apply)
- Amended Answer/Reply (AMND-Response)
 - Amended Complaint (AMND)
 - Answer/Reply (ANSW-Response)
 - Complaint (COMP)
 - Confession of Judgment (CNFJ)
 - Counterclaim vs. (CTCL)
 - All Plaintiffs Only (List on Back)
 - Crossclaim vs. (List on Back) (CRSS)
 - Extend Statute of Limitations, Rule 9 (ESOL)
 - Extended Time For Answer (MEOT-Response)
 - Extended Time For Complaint (EXCO)
 - Rule-12 Motion in Lieu Of Answer (MDLA)
 - Third Party Complaint (List Third Party Defendants on Back) (TPCL)
 - Other: (specify)

- Administrative Appeal (ADMA)
- Appointment of Receiver (APRC)
- Attachment/Garnishment (ATTC)
- Claim and Delivery (CLMD)
- Collection on Account (ACCT)
- Condemnation (CNDM)
- Contract (CNTR)
- Discovering Scheduling Order (DSCH)
- Injunction (INJU)
- Medical Malpractice (MDML)
- Minor Settlement (MSTL)
- Money Owed (MNYO)
- Negligence - Motor Vehicle (MVNG)
- Negligence - Other (NEGO)
- Motor Vehicle Lien G.S. 44A (MVLN)
- Limited Driving Privilege - Out of State Convictions (PLDP)
- Possession of Personal Property (POPP)
- Product Liability (PROD)
- Real Property (RLPR)
- Specific Performance (SPPR)
- Other: (specify) **Declaratory Judgment**

Date
9-20-07

Signature Of Attorney/Party

NOTE: All Papers filed in civil actions, special proceedings and estates shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts. The Superior Court shall require a party to refile any paper which does not include the required coversheet.

FILED

NORTH CAROLINA
WAKE COUNTY 2001 SEP 20 P 3 25

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

WAKE COUNTY, CSC
ELIZABETH BRUCE STRATTON,)
Plaintiff)
v.)
RBC CENTURA BANKS, INC.,)
Defendant)

COMPLAINT FOR DECLARATORY
JUDGMENT, RELATED MANDATORY
COURT ORDER, AND
REQUEST FOR JURY TRIAL

The plaintiff, complaining of the defendant, alleges and says that:

1. The nature of this case concerns a claim by the plaintiff Elizabeth Bruce Stratton for a declaratory judgment and related court order arising out of her ownership of an equity interest in the defendant RBC Centura Banks, Inc., the successor in interest to The Bank of Manteo, because the plaintiff is the sole successor in interest to the original owner of the original The Bank of Manteo stock certificate originally owned by the plaintiff's predecessor.

2. The plaintiff is a citizen and resident of Dare County, State of North Carolina.

3. The defendant is a North Carolina bank operating virtually in all counties in North Carolina and specifically with an original office in Wake County, State of North Carolina.

4. The defendant bank is the successor in interest to the original The Bank of Manteo, the issuer of the original stock

certificate which is the subject of this action, and as a result thereof, is entitled not only to the benefits from such succession, but all liabilities relating thereto, including the rights of the plaintiff as described more fully hereinafter.

5. Matilda Ethridge, the original owner of the subject stock certificate, originally purchased the subject five shares of stock represented by certificate number 86 in 1927. This certificate is attached as Exhibit A hereto and incorporated herein by reference.

6. Ms. Ethridge married Elwood Inge in 1935, when she changed her name to Matilda E. Inge. They were divorced in 1958 and Mr. Inge died in Virginia in 1971. Ms. Inge remained in Manteo, North Carolina until her death in 1980.

7. Matilda Ethridge Inge was survived by her daughter, sole heir and executor of her estate, Elizabeth Bruce Stratton, the plaintiff herein.

8. The plaintiff is therefore the sole heir of the original shareholder, Matilda Ethridge Inge, and as a consequence thereof, is entitled to all benefits of that stock ownership in the original The Bank of Manteo, the successive interest to which is described in more detail hereinafter.

9. In 1962, The Bank of Manteo merged with Planters National Bank with 2.8 shares of Planters National Bank stock

required to be issued for every one share of The Bank of Manteo stock. Therefore, after accounting for stock dividends and stock splits, the original certificate of five shares (the "Original Shares" herein) should have been 350 shares of Planters National Bank.

10. As a result of stock splits and dividends, those Original Shares by March 16, 1987 should have equaled 4,301.17140 shares of stock of Planters National Bank.

11. In November, 1990, Planters National Bank merged with Peoples Bank Corp. to form Centura Banks, Inc. on the basis of a one-for-one exchange, resulting in an equivalent number of shares of Centura Banks, Inc. in the amount of 4,301.17140 shares for the Planters National Bank shares.

12. In June, 2001, Centura Banks, Inc. merged with the Royal Bank of Canada forming RBC Centura Banks, Inc. with 1.684 shares of the Royal Bank of Canada issued for each RBC Centura Banks, Inc. share, resulting in 7,243.17260 shares of RBC Centura Banks, Inc. for the Centura Bank, Inc. shares.

13. After a two-for-one stock split of the RBC Centura Banks, Inc. shares on April 7, 2006, the Original Shares would have been equal to 14,486.34500 shares of RBC Centura Banks, Inc., the number of its shares presently at issue in this case.

14. The plaintiff is therefore entitled to have her stock certificate number 86 for five shares of The Bank of Manteo replaced by the defendant with 14,486.34500 shares of stock in RBC Centura Banks, Inc., plus the payment of unpaid dividends to the plaintiff or her successors for which there has been no accounting.

15. The plaintiff first learned that the defendant would not honor the plaintiff's request for replacement stock certificates and unpaid dividends, as to which the defendant refused, on or about September 8, 2006.

16. The plaintiff is therefore entitled to a declaratory judgment under Article 26 of the North Carolina General Statutes declaring that she is the owner of 14,486.34500 shares of stock of the defendant, and entitled to all dividends unaccounted for based upon such amounts as she is able to prove at trial.

17. The plaintiff is also entitled to an order of this court ordering that the defendant issue to the plaintiff that number of 14,486.34500 shares of its stock, plus accretions thereto based upon any stock split or stock dividends from the time of the filing of this case through the date of trial.

18. If the court does not order that those shares be reissued in the name of the plaintiff, and the payment of all

unpaid dividends, the plaintiff would not have an adequate remedy at law.

WHEREFORE, the plaintiff prays that she have:

1. A declaratory judgment against the defendant adjudging that she is the owner of all right, title, and interest to the successor shares to the original The Bank of Manteo shares of at least 14,486.34500 shares plus any additional shares to which she may be entitled to by virtue of accretion through stock dividends and stock splits.

2. That the court order the defendant to issue the foregoing number of shares to the plaintiff.

3. That she have and recover of the defendant any dividends to which neither she nor her successors received credit, based upon the evidence at trial.

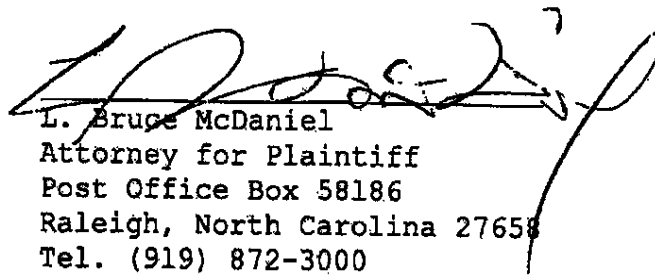
4. For such other and further relief as may be just and proper.

5. That the costs of this action be taxed against the defendant.

A JURY TRIAL IS RESPECTFULLY REQUESTED.

This the 20th day of September, 2007.

McDANIEL & ANDERSON, L.L.P.



L. Bruce McDaniel
Attorney for Plaintiff
Post Office Box 58186
Raleigh, North Carolina 27658
Tel. (919) 872-3000

Incorporated under the Laws of North Carolina.

CAPITAL STOCK \$5,000.00.



MANTEO

WILMINGTON, N. C.

is the currency of the Capital. 100 shares of

THE BANK OF MANTEO.

of the Bank of the Capital. 100 shares of the Corporation by the holder of this certificate, when surrendered, shall be paid to the holder of this certificate.



and the Corporation has caused this certificate to be printed and issued with the seal of the Corporation.

PRESIDENT

BIRMINGHAM

Capital Stock

The Bank of Manteo,
MANTEO, N. C.

ISSUED TO

DATED

To the Value Received hereby with my hand and seal this

and
Shares of the Capital Stock represented by the within
Certificate, and do hereby irrevocably constitute and appoint

to transfer the said Stock on the books of the within named
Corporation with full power of substitution in the premises.
Dated _____ 190__

THIS CERTIFICATE SHALL BE VOID UNLESS SIGNED BY THE PRESIDENT AND ONE OF THE VICE PRESIDENTS OF THE BANK OF MANTEO, N. C.