

STATE OF NORTH CAROLINA  
COUNTY OF DURHAM

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
09-CVS-006826

JOSEPH J. TYSON, Individually; and  
TYSON INSURANCE SERVICES, INC.,  
Derivatively, by and through Minority  
Shareholder Joseph J. Tyson,

Plaintiffs,

v.

VERNON L. TYSON and TYSON  
INSURANCE SERVICES, INC.,

Defendants.

**ORDER DENYING DEFENDANTS'  
OPPOSITION TO DESIGNATION**

THIS MATTER is before the Court on Defendants' Amended Notice of Opposition to Designation of Action as Mandatory Complex Business Case (the "Opposition"). Plaintiffs filed the Complaint in Durham County on October 16, 2009. On November 9, 2009, Plaintiffs filed a Notice of Designation. The Chief Justice of the Supreme Court of North Carolina entered the Designation Order on November 9, 2009, and this action was assigned to the Honorable John R. Jolly on November 10, 2009. Defendants filed the Opposition on December 2, 2009.

Upon review of submissions by counsel, the Court hereby DENIES the Opposition. As Defendants recognize, this matter is a derivative action by a minority shareholder which involves issues relating to the law governing corporations. The Court concludes that the allegations in the Complaint 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