

**Legislative Report -- October, 2011**  
**Settlements of Litigation for \$75,000 or more, G.S. §114-2.4(b), Since March 15, 2011**

| <b>Case Name</b>                                                    | <b>Closed Date</b> | <b>Settlement Amount</b> | <b>Brief Summary</b>             |
|---------------------------------------------------------------------|--------------------|--------------------------|----------------------------------|
| Allen, Rachel v. Administrative Office of the Courts                | 3/18/2011          | \$232,000.00             | Tort Claims                      |
| Anderson, Matheral v. Guilford County Schools                       | 5/6/2011           | \$95,000.00              | Workers Compensation             |
| Baker, Nancy v. Administrative Office of the Courts                 | 4/12/2011          | \$261,634.00             | Workers Compensation             |
| Bryan, David v. DPI Mecklenburg                                     | 4/18/2011          | \$200,000.00             | Tort Claims                      |
| Caraway, Clinton v. Department of Correction                        | 5/10/2011          | \$200,000.00             | Tort Claims                      |
| Doe, Jane v. Department of Health and Human Services                | 8/23/2011          | \$150,000.00             | Tort Claims                      |
| Estate of Kyra Denya Reason v. NC Department of Correction          | 4/19/2011          | \$350,000.00             | Tort Claims                      |
| H.B. Rowe Co. Inc. v. W. Lyndo Tippet, et al                        | 9/15/2011          | \$635,000.00             | Highway Contract                 |
| Halton-Subkis, Barbara v. UNC Asheville                             | 7/29/2011          | \$90,055.85              | Workers Compensation             |
| Helm, Jane v. Appalachian State University & Peacock                | 3/16/2011          | \$180,000.00             | Whistleblower-employment dispute |
| Henke, David v. UNC Chapel Hill                                     | 4/20/2011          | \$85,000.00              | Workers Compensation             |
| Holden, Raymond David III v. Department of Transportation           | 5/4/2011           | \$75,000.00              | Tort Claims                      |
| Jackson, Antwaine v. Department of Public Instruction               | 6/13/2011          | \$480,000.00             | Tort Claims                      |
| Jacobs, Robert Jr. v. Department of Public Instruction              | 6/13/2011          | \$149,999.00             | Workers Compensation             |
| Johnson, Kayce v. NC School of the Arts                             | 8/18/2011          | \$100,000.00             | Tort Claims                      |
| Jones Bros., Inc. v. NCDOT                                          | 9/15/2011          | \$10,500,000.00          | Highway Contract                 |
| Jones, James v. UNC General Administration                          | 6/15/2011          | \$145,000.00             | Workers Compensation             |
| Joyce, John v. Department of Public Instruction                     | 4/4/2011           | \$175,000.00             | Workers Compensation             |
| Leonard, Robert Earl Jr. v. Department of Health and Human Services | 4/19/2011          | \$250,000.00             | Tort Claims                      |
| NCDOT v. AJD Investments, Inc., et al                               | 5/25/2011          | \$1,873,750.00           | Highway Condemnation             |
| NCDOT v. Andrews, Harold, et ux                                     | 4/4/2011           | \$240,000.00             | Highway Condemnation             |
| NCDOT v. BD Buildings Limited Partnership, et al                    | 8/19/2011          | \$275,000.00             | Highway Condemnation             |

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|-----------------------------------------------------------|--------------------|--------------------------|----------------------|
| NCDOT v. Beallmont Farm, Inc.                             | 7/29/2011          | \$180,000.00             | Highway Condemnation |
| NCDOT v. Becton, George F., et ux                         | 7/29/2011          | \$1,560,100.00           | Highway Condemnation |
| NCDOT v. Belcross Properties, LLC, et al                  | 7/15/2011          | \$165,000.00             | Highway Condemnation |
| NCDOT v. Bennett, Susan S., et vir, et al                 | 7/15/2011          | \$3,900,000.00           | Highway Condemnation |
| NCDOT v. Biltmore Commercial Properties, LLC, et al       | 4/4/2011           | \$2,950,000.00           | Highway Condemnation |
| NCDOT v. Biltmore Commercial Properties, LLC, et al       | 4/4/2011           | \$2,200,000.00           | Highway Condemnation |
| NCDOT v. Bogart, Barbara P. and Bogart, William H. Jr., C | 8/31/2011          | \$193,000.00             | Highway Condemnation |
| NCDOT v. Bondatti, Frank J., et ux                        | 7/25/2011          | \$250,000.00             | Highway Condemnation |
| NCDOT v. Booth, Chester C., et ux, et al                  | 5/27/2011          | \$155,000.00             | Highway Condemnation |
| NCDOT v. Brown, Mack D., et ux                            | 3/30/2011          | \$178,500.00             | Highway Condemnation |
| NCDOT v. Buse, John B., et al                             | 5/9/2011           | \$95,000.00              | Highway Condemnation |
| NCDOT v. Camden Realty Group, LLC, et al                  | 7/18/2011          | \$245,000.00             | Highway Condemnation |
| NCDOT v. Campbell, James Reginald, et ux, et al           | 6/30/2011          | \$194,100.00             | Highway Condemnation |
| NCDOT v. Capps, Jack Elias, Trustee (etc.), et al         | 7/14/2011          | \$519,300.00             | Highway Condemnation |
| NCDOT v. Cashion, Michael H., et ux, et al                | 8/31/2011          | \$327,000.00             | Highway Condemnation |
| NCDOT v. Clyde Jones Distributing Company, Inc., et al    | 4/5/2011           | \$1,500,000.00           | Highway Condemnation |
| NCDOT v. County of Henderson, et al                       | 4/4/2011           | \$207,500.00             | Highway Condemnation |
| NCDOT v. Cripe, Stephanie M., et al                       | 5/9/2011           | \$115,000.00             | Highway Condemnation |
| NCDOT v. Daughtridge, Evans & Barnhill, a North Carolina  | 8/23/2011          | \$108,100.00             | Highway Condemnation |
| NCDOT v. Davis Drive Associates, LLC                      | 7/26/2011          | \$216,480.00             | Highway Condemnation |
| NCDOT v. Davis Drive Associates, LLC                      | 8/3/2011           | \$270,000.00             | Highway Condemnation |
| NCDOT v. DDR/1st Carolina Crossings North, LLC            | 8/31/2011          | \$877,500.00             | Highway Condemnation |
| NCDOT v. Dean, Roy Lee, Jr., et ux, et al                 | 3/22/2011          | \$200,000.00             | Highway Condemnation |
| NCDOT v. Dellinger, Charles Randy, et al                  | 4/4/2011           | \$88,000.00              | Highway Condemnation |
| NCDOT v. Dickey, Stephen B.                               | 6/10/2011          | \$364,150.00             | Highway Condemnation |
| NCDOT v. Doosan International USA, Inc.                   | 6/30/2011          | \$189,826.00             | Highway Condemnation |
| NCDOT v. Edge, Wallace B. et ux                           | 4/6/2011           | \$170,000.00             | Highway Condemnation |
| NCDOT v. Elon Self Storage, LLC                           | 5/12/2011          | \$80,000.00              | Highway Condemnation |
| NCDOT v. Four Jacks, LLC                                  | 4/4/2011           | \$475,000.00             | Highway Condemnation |
| NCDOT v. Goforth, Doris R., et al                         | 5/27/2011          | \$135,000.00             | Highway Condemnation |
| NCDOT v. Goins, Bernice I.                                | 7/25/2011          | \$250,000.00             | Highway Condemnation |

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| NCDOT v. Gosney, Mary Ann, et vir                                                | 8/31/2011   | \$300,000.00      | Highway Condemnation |
| NCDOT v. Graham, Lettice Lee                                                     | 3/29/2011   | \$126,000.00      | Highway Condemnation |
| NCDOT v. Gray, Claudio Viola, et al                                              | 3/28/2011   | \$135,000.00      | Highway Condemnation |
| NCDOT v. Harbour Point Village, LLC, et al                                       | 5/27/2011   | \$150,529.00      | Highway Condemnation |
| NCDOT v. Heron Point, LLC                                                        | 8/31/2011   | \$343,500.00      | Highway Condemnation |
| NCDOT v. J. M. Wallace Land Company, LLC, et al                                  | 4/4/2011    | \$75,000.00       | Highway Condemnation |
| NCDOT v. Jeffers, Ella Lee, et vir, et al                                        | 3/28/2011   | \$420,000.00      | Highway Condemnation |
| NCDOT v. Jones, Royal T., Jr.                                                    | 3/28/2011   | \$810,000.00      | Highway Condemnation |
| NCDOT v. Jones, Warren Paul, et ux, et al                                        | 7/12/2011   | \$126,800.00      | Highway Condemnation |
| NCDOT v. Jones, William L., et ux, et al                                         | 3/30/2011   | \$325,000.00      | Highway Condemnation |
| NCDOT v. Jugis, Peter J., Bishop of the Roman Catholic Diocese of Raleigh        | 7/25/2011   | \$165,000.00      | Highway Condemnation |
| NCDOT v. Kelly and Kelly Investment Company, Inc. a/k/a Kelly Investment Company | 6/17/2011   | \$121,500.00      | Highway Condemnation |
| NCDOT v. Keystone 100 LLC, et al                                                 | 3/18/2011   | \$3,252,200.00    | Highway Condemnation |
| NCDOT v. Khan, Ray a/k/a/ Khan, Shujat A. Ray, et al                             | 6/9/2011    | \$950,000.00      | Highway Condemnation |
| NCDOT v. King, Scot F., et ux                                                    | 6/15/2011   | \$137,500.00      | Highway Condemnation |
| NCDOT v. Kitchen, James H., et ux, et al                                         | 5/9/2011    | \$112,500.00      | Highway Condemnation |
| NCDOT v. Leland Land, LLC                                                        | 8/17/2011   | \$86,000.00       | Highway Condemnation |
| NCDOT v. Luihn Four, Inc., et al                                                 | 4/29/2011   | \$304,850.00      | Highway Condemnation |
| NCDOT v. Malloy, Isabel C., et vir                                               | 4/4/2011    | \$135,000.00      | Highway Condemnation |
| NCDOT v. Marlow, Arthur, Jr., et al                                              | 7/15/2011   | \$185,000.00      | Highway Condemnation |
| NCDOT v. McLamb, William Earl, et ux, et al                                      | 6/8/2011    | \$110,250.00      | Highway Condemnation |
| NCDOT v. Mills, William T., et ux, et al                                         | 7/18/2011   | \$1,930,795.00    | Highway Condemnation |
| NCDOT v. Millsaps, David L., et ux, et al                                        | 5/27/2011   | \$124,000.00      | Highway Condemnation |
| NCDOT v. MMG Properties, LLC, et al                                              | 8/31/2011   | \$850,000.00      | Highway Condemnation |
| NCDOT v. Mooresville Lodging, LLC                                                | 8/31/2011   | \$475,000.00      | Highway Condemnation |
| NCDOT v. Morris, Hunter, et ux                                                   | 7/15/2011   | \$133,128.75      | Highway Condemnation |
| NCDOT v. Murphy, Edna Earl, et al                                                | 7/25/2011   | \$223,025.00      | Highway Condemnation |
| NCDOT v. National Retail Properties, LP, et al                                   | 5/27/2011   | \$120,000.00      | Highway Condemnation |
| NCDOT v. No Head, LLC                                                            | 4/6/2011    | \$95,000.00       | Highway Condemnation |
| NCDOT v. Overton, William H., et ux                                              | 4/29/2011   | \$356,800.00      | Highway Condemnation |
| NCDOT v. Parrish, Larry T., et ux                                                | 8/31/2011   | \$92,000.00       | Highway Condemnation |

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| NCDOT v. Rabon, Wilbur, et ux                            | 7/26/2011   | \$230,000.00      | Highway Condemnation |
| NCDOT v. RBR Affiliates, LLC, et al                      | 4/4/2011    | \$135,000.00      | Highway Condemnation |
| NCDOT v. REB Acquisitions, LLC                           | 8/8/2011    | \$500,000.00      | Highway Condemnation |
| NCDOT v. Rhem, Stephen Anthony, et ux, et al             | 9/15/2011   | \$193,500.00      | Highway Condemnation |
| NCDOT v. Ricks, Jo Chason, et al                         | 8/9/2011    | \$1,200,000.00    | Highway Condemnation |
| NCDOT v. Roberts, Billy G., et ux, et al                 | 5/12/2011   | \$187,500.00      | Highway Condemnation |
| NCDOT v. Roberts, Billy G., et ux, et al                 | 5/6/2011    | \$187,500.00      | Highway Condemnation |
| NCDOT v. Robinson, William S., et ux, et al              | 5/6/2011    | \$885,000.00      | Highway Condemnation |
| NCDOT v. Roccoforte, John A., et ux, et al               | 9/8/2011    | \$230,000.00      | Highway Condemnation |
| NCDOT v. Rokes, David Kenwood, et ux, et al              | 6/30/2011   | \$95,000.00       | Highway Condemnation |
| NCDOT v. Sappenfield, Robert W., et ux                   | 9/1/2011    | \$180,000.00      | Highway Condemnation |
| NCDOT v. Sasser, Eddie T., et ux, et al                  | 6/7/2011    | \$77,500.00       | Highway Condemnation |
| NCDOT v. Sasser, Eddie Thomas, et al                     | 6/7/2011    | \$122,500.00      | Highway Condemnation |
| NCDOT v. Sawyer, Joseph Owen                             | 6/22/2011   | \$103,500.00      | Highway Condemnation |
| NCDOT v. Shannon, Carole, et vir, et al                  | 5/24/2011   | \$2,750,000.00    | Highway Condemnation |
| NCDOT v. Smith, Louis W., et ux, et al                   | 9/6/2011    | \$391,000.00      | Highway Condemnation |
| NCDOT v. Smith, William J., et ux, et al                 | 8/31/2011   | \$207,150.00      | Highway Condemnation |
| NCDOT v. Superior Properties of Iredell Limited Partners | 8/31/2011   | \$160,000.00      | Highway Condemnation |
| NCDOT v. Tharrington, Walter I. III, et al               | 4/29/2011   | \$225,000.00      | Highway Condemnation |
| NCDOT v. Toyota of Boone, Inc., et al                    | 8/19/2011   | \$346,000.00      | Highway Condemnation |
| NCDOT v. Toyota of Boone, Inc., et al                    | 3/30/2011   | \$395,000.00      | Highway Condemnation |
| NCDOT v. Valle Capital Group, LLC, et al                 | 8/8/2011    | \$1,975,000.00    | Highway Condemnation |
| NCDOT v. Walker, P. Sharon a/k/a/ Walker, Priscilla Shar | 8/31/2011   | \$220,000.00      | Highway Condemnation |
| NCDOT v. Wall, Joe a/k/a Wall, Joseph J., et ux          | 7/12/2011   | \$1,170,000.00    | Highway Condemnation |
| NCDOT v. Walser, Sue C., et al                           | 6/30/2011   | \$75,000.00       | Highway Condemnation |
| NCDOT v. Waste Management of Carolinas, Inc.             | 6/14/2011   | \$182,425.00      | Highway Condemnation |
| NCDOT v. Western Parkway, LLC, et al                     | 7/5/2011    | \$1,476,365.00    | Highway Condemnation |
| NCDOT v. Yanders, Todd, et ux, et al                     | 9/8/2011    | \$725,000.00      | Highway Condemnation |
| Parsons, Charles v. Administrative Office of the Courts  | 4/14/2011   | \$132,500.00      | Workers Compensation |
| S.T. Wooten Corporation v. North Carolina Department of  | 9/15/2011   | \$79,882.00       | Highway Contract     |

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|------------------------------------------------------------------------------------------------------------|--------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------|
| Simon, Rich                                                                                                | 3/30/2011          | \$111,853.99             | Health and Public Assistance                                                                                         |
| Smith, Leland D. v. NC Department of Cultural Resources                                                    | 6/7/2011           | \$78,221.37              | Petition for Judicial Review filed by Department of Cultural Resources from judgment reinstating dismissed employee. |
| Styron, Deborah v. Department of Transportation                                                            | 5/13/2011          | \$2,166,952.00           | Workers Compensation                                                                                                 |
| The Lane Construction Corp. v. NCDOT                                                                       | 7/19/2011          | \$1,250,000.00           | Highway Contract                                                                                                     |
| Triangle Grading & Paving Inc. v. NCDOT                                                                    | 7/19/2011          | \$475,000.00             | Highway Contract                                                                                                     |
| Tutt, Lorene Gloster, Ancillary Admin. Of the Estate of Brandon Tutt v. Randolph County Board of Education | 6/13/2011          | \$530,000.00             | Tort Claims                                                                                                          |
| Watson, Douglas v. Department of Transportation                                                            | 4/20/2011          | \$136,907.20             | Workers Compensation                                                                                                 |
| Weavil, Holly v. Forsyth County Schools                                                                    | 6/1/2011           | \$280,000.00             | Workers Compensation                                                                                                 |