



State of North Carolina

Office of the State Controller

DAVID T. McCoy
STATE CONTROLLER

October 24, 2013

Dan Gerlach, President
Golden LEAF Foundation
301 N. Winstead Avenue
Rocky Mount, NC 27804

Dear Dan:

RE: Remittance of Master Settlement Agreement Disputed Payments

As adopted, Session Law 2011-145, Section 6.11(d) rewrote Section 6(b) of Session Law 1999-2 to read as follows:

Any monies paid into the North Carolina State Specific Account from the Disputed Payments Account on account of the Non-Participating Manufacturers that would have been transferred to The Golden L.E.A.F. (Long-Term Economic Advancement Foundation), Inc., or to the trust funds established in accordance with subdivision (a)(2) of this section shall be deposited in the General Fund Account of the Settlement Reserve Fund.

The Availability Statement of Senate Bill 402, Session Law 2013-360 (see page 5) provides that \$24,639,357 identified as "MSA Disputed Payments Erroneously Paid to Golden Leaf (S.L. 2011-145)" shall be an Adjustment to General Fund Availability. Funds in this amount were mistakenly remitted to the Golden LEAF. In order to comply with the legislature's mandate, I am writing to request that this error be corrected by the remittance of \$24,639,357 to the Office of State Controller – Statewide Accounting so that these funds can be deposited in "the General Fund Account of the Settlement Reserve Fund," as the law requires.

I appreciate your prompt attention to this matter.

With regards, I am

Sincerely,

A handwritten signature in dark ink that reads "David T. McCoy".
David T. McCoy

cc: Art Pope, OSBM
Richard Harrison, NCDOJ
Kristin Walker, Fiscal Research

No. SAD 14-18