



State of North Carolina

Department of Justice

PO Box 629

Raleigh, North Carolina

27602

November 10, 2009

ROY COOPER
ATTORNEY GENERAL

Joint Legislative Commission on Governmental Operations
Chairs, Senate and House Appropriations Committees
Chairs, Senate and House Finance Committees
North Carolina General Assembly
Raleigh, NC 27601-2808

RE: Report on pending cases challenging the constitutionality of a North Carolina law, pending cases seeking \$1,000,000 or more in damages, and settlements of litigation or potential litigation for \$75,000 or more.

Dear Members:

In accordance with N.C.G.S. §114-2.6, please find the attached reports which include any lawsuit in which the constitutionality of a North Carolina law has been challenged and any case in which plaintiffs seek in excess of one million dollars (\$1,000,000) in damages. In addition, pursuant to N.C.G.S. §114-2.4(b), included is the report on all agreements entered into by the State or a State department, agency, institution, or officer to settle or resolve litigation or potential litigation, that involves the payment of public monies in the sum of seventy-five thousand dollars (\$75,000) or more.

Thank you for the opportunity to provide this information. We would be happy to respond to any questions you may have regarding this report.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kristi Hyman", with a long horizontal flourish extending to the right.

Kristi Hyman
Chief of Staff

KH/ml

cc: Jean Sandaire
Fiscal Research Division

Legislative Report
Settlements of Litigation for \$75,000 or more, G.S. §114-2.4(b), Since March, 2009

Case Name	Date Closed	Settlement Amount	Summary
Andy Hardwick v. Department of Correction	10/29/2009	\$125,000.00	Workers Compensation
B. T. and Betsy Henderson Family, LLC, et al.	06/30/2009	\$500,000.00	Highway Condemnation
Beaver Dam Lake, Inc.	09/23/2009	\$165,000.00	Highway Condemnation
Bertha Godley Jones, et al	04/30/2009	\$257,275.21	Highway Condemnation
Beverly Matthews, et vir, et al	11/03/2009	\$225,000.00	Highway Condemnation
Bonnie S. Evans, et al	04/04/2009	\$127,500.00	Highway Condemnation
Boyd Burgess	08/20/2009	\$76,600.00	Highway Condemnation
BPNC, LLC	11/03/2009	\$180,000.00	Highway Condemnation
Branch Highways, Inc. v. NC Department of Transportation	7/10/2009	\$722,500.00	Highway Construction Contract Claim
Bradford Properties of Greenville, LLC et al	10/01/2009	\$247,000.00	Highway Condemnation
Brawley Gateway Center Condominium Owner's Association, Inc.	06/08/2009	\$608,500.00	Highway Condemnation
Bullard Trailer Sales, Inc.	11/04/2009	\$1,070,000.00	Highway Condemnation
Carolina Tractor & Equipment Company	09/15/2009	\$2,800,000.00	Highway Condemnation
Cheryl Wiggins v. Department of Transportation	10/22/2009	\$200,000.00	Tort Claims
Clark A. Lawing v. Department of Transportation	07/23/2009	\$141,375.71	Workers Compensation
Cosmas D. Eaglin	07/14/2009	\$80,000.00	Highway Condemnation
Cross Creek Mall, LLC et al	09/14/2009	\$250,949.00	Highway Condemnation
CSX Transportation, Inc.	08/05/2009	\$211,950.00	Highway Condemnation
Cycle Inn, Inc.	08/10/2009	\$375,000.00	Highway Condemnation
D. S. Swain Gas Company, Inc.	08/05/2009	\$650,000.00	Highway Condemnation

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Case Name	Date Closed	Settlement Amount	Summary
Danny Bane Dampier v. Department of Transportation	04/09/2009	\$750,000.00	Tort Claims
David B. Rainess, et ux, et al	06/08/2009	\$87,500.00	Highway Condemnation
David Bryant v. Department of Public Instruction	06/26/2009	\$190,000.00	Tort Claims
David C. Barker, et ux, et al	08/17/2009	\$81,750.00	Highway Condemnation
Denise Cox v. Department of Public Instruction	03/04/3003	\$500,000.00	Tort Claims
Diamond Smith v. Mary Locklear Fields	07/06/2009	\$99,000.00	Tort Claims
Donna Politz v. Department of Public Instruction	03/27/2009	\$118,247.00	Workers Compensation
Donnie E. Doby, Jr., et al	08/05/2009	\$104,400.00	Highway Condemnation
Doris H. Harris	10/01/2009	\$175,000.00	Highway Condemnation
E. G. Dale, et ux, et al	04/04/2009	\$355,000.00	Highway Condemnation
E. G. Dale, et ux, et al	04/20/2009	\$995,000.00	Highway Condemnation
Edward M. Sweatt, et ux, et al	07/09/2009	\$93,762.00	Highway Condemnation
Elsie Wiggins v. Department of Transportation	10/22/2009	\$140,000.00	Tort Claims
Evelyn J. Picklesimer v. Department of Health and Human Services	03/31/2009	\$76,878.00	Workers Compensation
FFC Limited Partnership, et al	06/08/2009	\$85,800.00	Highway Condemnation
First States Investors 4100A, L.P., et al	11/02/2009	\$1,400,000.00	Highway Condemnation
Francis Renaud, et ux, et al	06/06/2009	\$114,500.00	Highway Condemnation
Gary D. Filarecki	10/01/2009	\$77,376.00	Highway Condemnation
Geni S. Crenshaw, et al	06/06/2009	\$400,000.00	Highway Condemnation
Gladys Adams v. Department of Public Instruction	08/11/2009	\$95,000.00	Workers Compensation
Gladys Ruth Strider v. Department of Public Instruction	06/05/2009	\$149,999.00	Workers Compensation

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Granite Contracting, LLC v. NC Department of Transportation	5/28/2009	\$90,000.00	Highway Construction Contract Claim
Grey Gables West Townhouses Owners' Association, Inc. et al	04/15/2009	\$95,000.00	Highway Condemnation
Hall Family Properties of Wilmington, LLC, et al	07/06/2009	\$165,000.00	Highway Condemnation
Harold Wayne Mayhew, et al	06/08/2009	\$117,500.00	Highway Condemnation
Harvey E. Melton, et ux	03/18/2009	\$973,298.00	Highway Condemnation
Howard "Hank" Farrell v. Department of Correction	05/04/2009	\$149,999.00	Workers Compensation
Howard "Hank" Farrell v. Department of Public Instruction	04/17/2009	\$149,000.00	Workers Compensation
J. D. Gupta, et ux	09/01/2009	\$275,000.00	Highway Condemnation
J. Houston Matthews, III, et ux, et al	04/30/2009	\$840,000.00	Highway Condemnation
J. M. Wallace Land Company, LLC, et al	06/25/2009	\$75,000.00	Highway Condemnation
J. M. Wallace Land Company, LLC et al	06/25/2009	\$300,000.00	Highway Condemnation
James Alan Gell v. Town of Aulander, et al	04/30/2009	\$500,000.00	Civil Rights Claim
James O. McLinnaham, et ux, et al	09/14/2009	\$150,000.00	Highway Condemnation
James T. Street, II, et al	09/23/2009	\$1,360,000.00	Highway Condemnation
Jeremy Ward v. Department of Transportation	10/22/2009	\$270,000.00	Tort Claims
John D. Bell, MD, et ux	04/17/2009	\$75,050.00	Highway Condemnation
Joseph Ralph Overman, et ux, et al	08/13/2009	\$170,000.00	Highway Condemnation
Kathleen Viloski, et al	09/25/2009	\$419,500.00	Highway Condemnation
Kenneth J. Layton, Inc.	08/05/2009	\$216,325.00	Highway Condemnation
Kenneth J. Layton, Inc.	08/05/2009	\$183,675.00	Highway Condemnation
Kerri Dawn Parker, et al	04/03/2009	\$131,000.00	Highway Condemnation
Ladane Williamson, et al	11/04/2009	\$1,753,725.00	Highway Condemnation

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Case Name	Date Closed	Settlement Amount	Summary
Lake Norman Volunteer Fire Department, et al	06/08/2009	\$145,000.00	Highway Condemnation
Marcella Ann Nelson(f/k/a Marcella Ann Norvell); et vir, et al	07/23/2009	\$350,000.00	Highway Condemnation
Marston Baptist Church, Inc.	10/01/2009	\$540,000.00	Highway Condemnation
Martin Marietta Materials, Inc.	07/23/2009	\$3,003,559.27	Highway Condemnation
Mary C. Etter, et al	10/01/2009	\$129,100.00	Highway Condemnation
Max D. Ballinger, Trustee	09/15/2009	\$2,000,000.00	Highway Condemnation
Michael R. Green, et ux, et al	09/23/2009	\$175,000.00	Highway Condemnation
Nancy C. Morgan, et vir	03/26/2009	\$128,000.00	Highway Condemnation
Nancy C. Morgan, et vir	03/26/2009	\$81,000.00	Highway Condemnation
New Vision Fellowship, Inc.	07/06/2009	\$125,000.00	Highway Condemnation
Nora F. Smith, et al	08/04/2009	\$410,000.00	Highway Condemnation
North Carolina Warehousing, LLC	04/15/2009	\$200,000.00	Highway Condemnation
Patricia Fulghum v. Department of Public Instruction	06/04/2009	\$105,000.00	Workers Compensation
Peter thom, et ux	04/17/2009	\$424,500.00	Highway Condemnation
PLT v. NC Department of Transportation	7/23/2009	\$200,000.00	Highway Construction Contract Claim
Providence Forest Estates Homeowner's Association, Inc.	08/13/2009	\$345,700.00	Highway Condemnation
PT MOB, LLC, et al	05/19/2009	\$267,520.00	Highway Condemnation
Ram Development, Inc.	04/09/2009	\$252,500.00	Highway Condemnation
Randy K. Hinson, et ux, et al	09/15/2009	\$138,500.00	Highway Condemnation
Randy Lee Barnard v. Department of Transportation	10/13/2009	\$500,000.00	Tort Claims
Regional Consultants Properties, LLC, et al	08/13/2009	\$75,000.00	Highway Condemnation
Richard E. Blake, Jr., et ux, et al	06/06/2009	\$101,300.00	Highway Condemnation
River Rock Farm, LLC	06/02/2009	\$75,000.00	Highway Condemnation
Robert F. Albury, Jr., et ux	10/01/2009	\$87,500.00	Highway Condemnation

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Case Name	Date Closed	Settlement Amount	Summary
Robert J. Townsend, et al	04/15/2009	\$255,000.00	Highway Condemnation
Roger Cherry v. Department of Transportation	04/09/2009	\$100,000.00	Workers Compensation
Sixth Avenue, LLC, et al	08/13/2009	\$75,000.00	Highway Condemnation
SJL Properties, LLC, et al	11/03/2009	\$707,373.16	Highway Condemnation
Southeast Farm Equipment Company	11/02/2009	\$130,000.00	Highway Condemnation
Stephen C. Atkins, Sr., et ux, et al	06/06/2009	\$80,000.00	Highway Condemnation
Thomas McKinley Melton v. Department of Correction	09/30/2009	\$150,000.00	Tort Claims
Timothy A. Pelfrey v. Department of Transportation	05/13/2009	\$124,999.00	Workers Compensation
Tradewind Special Maritime Enterprises, Inc.	6/15/2009	\$250,000.00	Tort Claims
Triangle Properties Associates, LLC, et al	06/25/2009	\$400,000.00	Highway Condemnation
Trustees of Eureka Chapel Baptist Church (etc.)	09/14/2009	\$279,600.00	Highway Condemnation
Two Charleston Plaza Condominium Association, Inc., et al	06/08/2009	\$1,183,000.00	Highway Condemnation
Tyrone Smith v. Department of Public Instruction	07/13/2009	\$150,000.00	Tort Claims
Von L. Allen, et ux, et al	06/02/2009	\$320,000.00	Highway Condemnation
Walker, Judy C.	11/02/2009	\$1,325,000.00	Highway Condemnation
WCUMC, Inc., et al	06/08/2009	\$660,000.00	Highway Condemnation
Wesley Jay Denham, et ux, et al	09/30/2009	\$150,000.00	Highway Condemnation
William Harold Presnell, et ux	09/17/2009	\$81,100.00	Highway Condemnation
William Harold Presnell, et ux	09/18/2009	\$133,900.00	Highway Condemnation
Woods of Grove Park Homeowners Association, et al	06/03/2009	\$307,100.00	Highway Condemnation
Yvette McAlister Stokes, et vir, et al	06/22/2009	\$80,000.00	Highway Condemnation

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Case Name	Case Number	Court/Agency	Claim Amount	Million \$ Claim	Constitutionality Claim	Statute/Provision Challenged	Summary
Adams, Michael S. v. Board of Trustees et al	7:07-CV-00064-H	Federal District Court			X	First and Fourteenth Amendments	Plaintiff alleges violation of First and Fourteenth amendments and Title VII for failure to promote to full professor.
API v. Cooper	5:08 CV 396-FL	Federal District Court			X	NC Session Law 2008-222	Plaintiffs challenge session law regarding blending of ethane into gasoline.
Balfour Beatty Infrastructure, Inc. v. NC DOT	08 CVS 03753	NC Superior Court	\$1,433,966.00	X			Construction contract claim, NC Gen. Stat. §136-129
Bishop v. Bartlett	5:06-CV-00462-FL	Federal Appellate Court			X	NC Session Law 2003-403; NC Constitution Art. VI, §14	Plaintiff challenges the constitutionality of SL 2003-403 which allows project development financing by local governments without a referendum.
Blackledge Emulsions, Inc. v. NCDOA and NCDOT	07 CVS 10381	NC Superior Court	\$10,000,000.00	X			Plaintiffs claim debarment breach of contract and unconstitutional taking.
Boyce v. NC Department of Commerce	04 OSP 0298	NC Administrative Agency	\$10,000,000.00	X			Employment case alleging discrimination and retaliation.
Buck, Deborah Morris v. State of North Carolina	4:07 CV 122	NC Superior Court	\$1,000,000.00	X			Plaintiffs allege damages arising out of an alleged incident that occurred on State owned ferry.
Burnfam Limited Partnership v. Tippet	02 CVS 584	NC Superior Court	\$1,000,000.00	X			Plaintiff alleges unconstitutional exactions and taking.
Byrd, Steven Glen v. State of North Carolina, Union County Sheriff's Office and Department	3:08-CV-070	Federal District Court	\$16,000,000.00	X			Plaintiff claims violation of individual's civil and constitutional rights as a result of his arrest and prosecution.
Cape Hatteras v. Tolson	00-CVS-714	NC Superior Court	\$2,000,000.00	X		N.C. Gen. Stat. §§ 105-164.4(4a) and 105-116	Taxpayer seeks refund of franchise and sales tax claiming exempt from tax.

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Carl & Eilber v. State of NC, NC State Health Plan & MedAmerica Insurance	06 CVS 13617	NC Superior Court	\$1,000,000.00	X			Claim involving long term care insurance and increase in premiums after transfer of policy from MedAmerica to Prudential.
Cerkoney, Jeffrey v. Mann, Charles, et al	5:08-CT-3001-FL	Federal District Court	\$4,000,000.00	X			Prisoner Litigation
City of Asheville v. State of North Carolina	05 CVS 10743	NC Court of Appeals			X	NC Session Law 2005-139; NC Gen. Stat. §§160A-31(a), 160A-58.1(c) and 160A-312	Plaintiff seeks to declare statutes unconstitutional that prohibit charging customers outside its municipal limits more for services than those inside limits.
City of Raleigh v. Tolson	03 CVS 016956	NC Superior Court	\$2,000,000.00	X			Six counties and three municipalities demand that the State release local tax reimbursements and shared revenue payments withheld by Governor.
Cole, Jerry v. Jackson, Rick, et al	3:07CV399-1-GCM	Federal District Court	\$1,500,000.00	X			Prisoner Litigation
Collins, Meldon v. Smith, Paula	5:09-CT-3082-BO	Federal District Court	\$15,000,000.00	X			Prisoner Litigation
Crump, David v. Solomon, Lawrence, et al	5:07-CT-3129-FL	Federal District Court	\$10,000,000.00	X			Prisoner Litigation
Cushman v. Graham	07 CVS 198	NC Superior Court			X	NC Gen. Stat. §§ 7A-109.4; 7A-346.3; 20-138.4	Declaratory judgment action challenging constitutionality of DUI reporting requirements.
Dean v. Leake	07-1458	US Supreme Court			X	NC Session Law 2003-434; NC Gen. Stat. §§ 120-1 and 120-2	Plaintiffs challenge the current legislative districts as violating the whole county provisions of the NC Constitution alleging the legislature used incorrect census data violating the one person, one vote standard under the Equal Protection Clause.

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Delhaize America, Inc. v. Hinton	07 CVS 20801	NC Superior Court	\$6,864,240.00	X	X	Commerce clause, due process and other constitutional challenges; NC Gen. Stat. §§ 105-130.6 and 105-130.16(b)	Plaintiff seeks refund for corporate income tax.
DOT v. Two Charleston Plaza Condominium Assoc., Inc. et al	07 CVS 2175	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. ACHQ, LLC	08 CVS 0299	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. AJD Investments	09 CVS	NC Superior Court	\$1,432,300.00	X			Highway Condemnation
DOT v. Andrews Road Company Ltd. Partnership	08 CVS 2848	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Ballinger, Max, Trustee	98 CVS 10485	NC Superior Court	\$2,000,000.00	X			Highway Condemnation
DOT v. Biltmore Commercial Properties	08 CVS 1403	NC Superior Court	\$2,000,000.00	X			Highway Condemnation
DOT v. Biltmore Commercial Properties, LLC	04 CVS 4833	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Biltmore Farms, LLC	08 CVS 1402	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Bullard Trailer Sales, Inc.	07 CVS 2848	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. CAM Properties	08 CVS 0000	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Carolina Springs Autospa, Inc., et al	07 CVS 0859	NC Superior Court	\$1,000,000.00	X			Highway Condemnation

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Case Name	Case Number	Court/Agency	Claim Amount	Million \$ Claim	Constitutionality Claim	Statute/Provision Challenged	Summary
DOT v. Carolina Tractor and Equipment	01 CVS 8978	NC Superior Court	\$2,000,000.00	X			Highway Condemnation
DOT v. Coleman, Ronald K.	09 CVS 1518	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Dale, E.G.	06 CVS 1987	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. DTF, LLC	08 CVS 2848	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Falling Creek Farms, Inc.	08 CVS 1910	NC Superior Court	\$2,524,150.00	X			Highway Condemnation
DOT v. First States Investors 4100A	08 CVS 1345	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. FISEAS Partnership	08 CVS 13679	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. J.B. Harrison Properties, LLC	06 CVS 1470	NC Superior Court	\$1,281,400.00	X			Highway Condemnation
DOT v. J.B. Harrison Properties, LLC, et al	06 CVS 0700	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Ledford, James T., et ux, et al.	07 CVS 0180	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. LMN Investments	08 CVS 2459	NC Superior Court	\$1,094,700.00	X			Highway Condemnation
DOT v. McDonald's Corporation	08 CVS 0000	NC Superior Court	\$2,000,000.00	X			Highway Condemnation
DOT v. Parrott, Erwin W.	08 CVS 1912	NC Superior Court	\$1,308,500.00	X			Highway Condemnation
DOT v. RBW Development, LLC	08 CVS 0000	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Salem Brass, Inc.	06 CVS 02845	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Scott, James S.	08 CVS 0464	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Shallotte Crossing LLC	08 CVS 2524	NC Superior Court	\$1,227,000.00	X			Highway Condemnation

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DOT v. Shaw, John G.	08 CVS 11027	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. South Shore Real Estate, LLC et al	07 CVS 0030	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Stone, Richard B., et ux, et al.	07 CVS 0443	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Street, James T.	08 CVS 2536	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Valle Capital Group	08 CVS 0823	NC Superior Court	\$1,004,250.00	X			Highway Condemnation
DOT v. Walker, Judy C.	09 CVS	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Williamson, Ladane, et al.	07 CVS 465	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
DOT v. Wolbert, Doris Elizabeth	06 CVS 5243	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
Duke v. Leake	08-120	US Supreme Court			X	NC Public Campaign Financing Fund	Plaintiffs seeking to have various statutes related to NC Public Campaign Financing Fund declared unconstitutional.
Eaker, James v. Overturf, CO, et al	1:07CV608	Federal District Court	\$10,100,000.00	X			Prisoner Litigation
Estate of Esther Brown v. Attorney General	2:07-CV-7	Federal District Court	\$10,000,000.00	X			Section 1983 civil rights violation allegation. Plaintiff alleges the Attorney General's office failed to investigate local death in Halifax County.
GLF Construction Corp. v. NC DOT	06 CVS 02565	NC Superior Court	\$1,433,966.00	X			Construction Contract Claim, NC Gen. Stat. §136-129
GLF Construction Corp. v. NC DOT	06 CVS 02565	NC Superior Court	\$12,340,854.00	X			Construction Contract Claim, NC Gen. Stat. §136-129

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Case Name	Case Number	Court/Agency	Claim Amount	Million \$ Claim	Constitutionality Claim	Statute/Provision Challenged	Summary
Goldston, et al. v. State of North Carolina and Easley	08-754	NC Supreme Court			X	NC Session Laws 2001-424 and 2002-126 §2.2(g)	Plaintiffs challenge the constitutionality of actions by the Governor and the Legislature transferring highway trust funds.
Grand River Enterprises Six Nations, Ltd. Et al v. Pryor, Cooper, et al	02-5068	Federal District Court			X	NC Gen. Stat. §66-290 and Tobacco Master Settlement Agreement	Plaintiffs challenge the Master Settlement Agreement and the State Escrow Statute violate antitrust provisions and Dormant Commerce Clause of US Constitution.
Greene v. Leake	5:08-CV-88 RLV-CH	Federal District Court			X	NC Gen. Stat. §163-122(a)(2)	Plaintiff challenges ballot access requirements for third (minor) parties.
Greenfield v. Dudley, et als.	5:05-CT-484-BO	Federal District Court	\$1,000,000.00	X			Plaintiff filed section 1983 action for violation of civil rights by assistant district attorney.
H. B. Rowe & Co., Inc. v. Lyndo Tippet, et al.	5:03-CV-278-BO(3)	Federal District Court			X	NC Gen. Stat. §136-28.4	Contests DOT's policy regarding participation of disadvantaged business in specific highway construction contracts as violation of Equal Protection.
Head, Timothy Daniel v. State of North Carolina, Magistrate Putman, et al.	COA05-1015	NC Court of Appeals	\$9,036,900.00	X			Plaintiff seeks relief for claimed violation of due process of law.
High Rock Lake Partners, LLC v. NC DOT	COA 09-95	NC Court of Appeals			X		Plaintiffs challenge the constitutionality of NC DOT driveway permit policy.
High Rock Lake Partners, LLC v. NC DOT, et al	07 CVS 20569	NC Superior Court	\$15,000,000.00	X	X	NC Gen. Stat. §§136-18(5), (25) & (29); 136-93	Highway Construction Contract Claim
Hoke County Board of Education et al v. State of North Carolina	95 CVS 1158	NC Superior Court			X	Article I, Sec. 15 and Article IX, Sec. 2, Chapter 115C of NC Gen. Statutes	Plaintiffs seek declaratory relief based on the public education provisions of the NC Constitution.

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Hope-A Women's Cancer Center, et al. v. State of North Carolina, et al.	08 CVS7955	NC Superior Court			X	NC Gen. Stat. §131E-175 et seq.	Plaintiffs are raising constitutional claim that the certificate of need law is unconstitutional as applied, resulting in denial of due process. Challenging the process for creating the annual State Medical Facilities Plan (SMFP).
Hunter, Drellco v. Batchelor, Michael, et al	5:08-CT-3111-H	Federal District Court	\$1,500,000.00	X			Prisoner Litigation
In the matter of : The Denial of NC IDEA's (MCNC) Refund of Sales & Use Tax	COA08-561	NC Court of Appeals	\$58,550.34		X	Equal protection clause; challenge to sales and use tax refund for non-profits	Taxpayer seeks refund for sales and use tax.
Jackson, James v. Dr. Matkio, et al	5:06-CT-59-FL	Federal District Court	\$1,000,000.00	X			Prisoner Litigation
Jacobs, Gerald v. Grimes, John, et al	5:08-CT-3067-BO	Federal District Court	\$5,800,000.00	X			Prisoner Litigation
Jamestown Village Associates, LLP v. NC DOT, Smith Rowe, Inc., Blue Ridge Drilling & Blasting, Inc.	08 CVS 7672	Civil Superior Court	\$1,000,000.00	X			Inverse condemnation
Jenkins-Bey, David v. Land, Eurgia, et al	5:09-CT-3103-FL	Federal District Court	\$1,945,000.00	X			Prisoner Litigation
Jones Bros., Inc. v. NC DOT	06 CVS 17957	NC Superior Court	\$18,197,589.00	X			Construction contract claim; NC Gen. Stat. §139-129
Jones County Improvement Assn, et al v. NCDOT et al	07-1676	Federal Appellate Court	\$160,000,000.00	X			Plaintiff contends that the agency violated Titles VI and VII of the Civil Rights Act of 1964 and 1st and 14th Amendments by racially discriminating.
Lane Construction Corp. v. NC DOT	08 CVS 00856	NC Superior Court	\$2,810,404.00	X			Construction contract claim; NC Gen. Stat. §139-129

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Case Name	Case Number	Court/Agency	Claim Amount	Million \$ Claim	Constitutionality Claim	Statute/Provision Challenged	Summary
Latta v. State of North Carolina, et al.	01 CVS 15577	NC Superior Court			X	Chapter 2 of the 1999 Session Laws	Plaintiffs challenge constitutionality of legislation and consent order directing that 50% of NC's payments from MSA be directed to non-profit corp.
Libertarians v. State Board of Elections	05 CVS 13073	NC Court of Appeals			X	NC Gen. Stat. §§ 163-96 through 163-99	Plaintiffs challenge how alternative political parties and their candidates are listed on State ballots.
Mack, Bennie v. Fox, Carl, et al	1:07CV00784	Federal District Court	\$564,266,000.00	X			Prisoner Litigation
McCracken v. Easley	08 CVS 19569	NC Superior Court			X	NC Session Laws 2006-6	Plaintiff challenges outlawing of video gaming statewide except on tribal land based on federal Indian Gaming Regulatory Act.
McKnight, David v. James, Wayne, et al	1:08CV406	Federal District Court	\$1,000,000.00	X			Prisoner Litigation
Moore, Sebastian v. Beck, Theodis	5:08-CT-3017-FL	Federal District Court	\$10,400,000.00	X			Prisoner Litigation
Munger v. State of North Carolina	07 CVS 011756	NC Superior Court			X	NC Gen. Stat. §§105-164.3(8e), 105-164.13(55)	Plaintiffs challenge the economic incentives under retail sales and use taxes exemptions and exclusions.
NC Right to Life, Inc., et. al. v. Larry Leake, et. al.	5:99-CV-798-BO(3)	Federal Appellate Court			X	NC Gen. Stat. §§ 163-278.14A(a)(2); - 278.13, -278.6 (14)	Plaintiffs assert three campaign finance statutes violate their rights under the First Amendment.
Nichols, Barry v. Land, E.C., et al	5:08-CT-3158-H	Federal District Court	\$1,700,000.00	X			Prisoner Litigation
North Carolina v. C.L.P. Inc.	08 CVS 7820	NC Superior Court			X	NC Gen. Stat. § 66-290 et. seq.	Defendant failed to deposit escrow and is challenging the constitutionality of Master Settlement Agreement and tobacco escrow statutes.
Parker, Kevin v. Chavis, Patricia, et al	1:08CV416	Federal District Court	\$1,200,000.00	X			Prisoner Litigation
Parrott, James N.	08 CVS 1911	NC Superior Court	\$1,000,000.00	X			Highway Condemnation
Piedmont Behavioral Healthcare v. NC DHHS	08 DHR 2948	NC Administrative Agency	\$3,648,124.00	X			Local management entity contesting reduction in allocation of State appropriations.

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Case Name	Case Number	Court/Agency	Claim Amount	Million \$ Claim	Constitutionality Claim	Statute/Provision Challenged	Summary
Preston v. Leake	5:08-CV-397FL	Federal District Court			X	NC Session Law 2006-201	Plaintiff challenges the ban on lobbyists making contributions to legislators.
Proctor v. LGERS	07 CVS 11806	NC Superior Court			X	NC Gen. Stat. § 128-27(d4)	Class action suit where plaintiff claims that a change in statute to Local Retirement System deprived of disability/retirement benefits.
Pucket v. Carter, et als.	1:05 CV 283	Federal District Court	\$1,000,000.00	X			Plaintiff filed section 1983 action claiming violation of due process by the District Attorney and Assistant District Attorney.
Reeves, William v. Hubbard, Frederick, et al	1:08CV721	Federal District Court	\$7,500,000.00	X			Prisoner Litigation
Richards v. State of North Carolina	07 CV 020487	NC Superior Court			X	NC Gen. Stat. § 143B-437.11	Plaintiff challenges the economic incentives under the Job Maintenance and Capital Development Fund.
Robinson v. Butler, et. al.	5:07-CT-3021-FL	Federal District Court	\$1,000,000.00	X			Plaintiff alleges Section 1983 Civil Rights violation. Plaintiff claims improper listing on the sex offender registry.
Robinson, Barry v. Walser, Tarquintus	5:07-CT-3039-D	Federal District Court	\$1,500,000.00	X			Prisoner Litigation
Row, Rodney R. v. Row, Leigh A. (Deese)	468 P 07	NC Supreme Court			X	NC Gen. Stat. §50-13.4	Plaintiff challenges the current child support guidelines as unconstitutional. Trial Court ruled that the guidelines were constitutional.
Rowlette, Kevin Patrick et. al. v. Richard Moore, State Treasurer	05 CVS 2677	NC Superior Court	\$1,000,000.00	X	X	NC Gen. Stat. §116B-64	Claim for payment of interest, earned by the Treasurer, on refunds, made to owners of property held in the Escheat Fund.

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Case Name	Case Number	Court/Agency	Claim Amount	Million \$ Claim	Constitutionality Claim	Statute/Provision Challenged	Summary
Sam's East, Inc. v. Hinton	COA08-453	NC Court of Appeals	\$3,527,599.60	X	X	Commerce clause, due process and other constitutional challenges; NC Gen. Stat. §§ 105-130.6 and 105-130.16	Plaintiff seeks refund for corporate income tax.
SEANC v. State	COA01-1568	NC Supreme Court	\$129,000,000.00	X			SEANC seeks repayment of employer retirement contribution funds withheld by the Governor to balance the budget.
Shuler, Curtis v. Vaughn, John	5:08-CT-3088-BO	Federal District Court	\$40,000,000.00	X			Prisoner Litigation
Simba, Ya Jelani v. Branch, Wendy, et al	1:07-CV-712	Federal District Court	\$1,000,000.00	X			Prisoner Litigation
State ex rel. Cooper v. StoresOnline, Inc.	07 CVS 7381	NC Superior Court			X	NC Gen. Stat. §66-94	Defendant contends that the Business Opportunity Sales Act is unconstitutional.
State of Alabama, et al. v. State of North Carolina	US Sup Ct ORIG 132	US Supreme Court	\$100,000,000.00	X			Southeast Interstate Low-Level Waste Management Commission filed claims against NC for failure to construct a low-level radioactive waste facility.
State of North Carolina v. C.L.P. Inc.	08 CVS 7820	NC Superior Court			X	NC Gen. Stat. §§ 66-290 thru 66-294.1	Defendant has brought as defenses that NC's escrow statute violates the Commerce Clause, Equal Protection Clause, Due Process Clause, Sherman Act,
Stevenson, Roger v. Shoup, April	3:08CV305-02-MU	Federal District Court	\$25,000,000.00	X			Prisoner Litigation
Stone v. State	309 P 07-2	NC Supreme Court	\$129,000,000.00	X			Challenge to the withholding of retirement contribution withheld by the Governor to balance the budget.
Thomas, Jesse v. Smith, M.B., et al	5:07-CT-3159-FL	Federal District Court	\$39,000,000.00	X			Prisoner Litigation

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Case Name	Case Number	Court/Agency	Claim Amount	Million \$ Claim	Constitutionality Claim	Statute/Provision Challenged	Summary
TRISM, Inc., d/b/a/ "Bedtime Stories" et. al. v. Cooper	1:06-CV-25-H	Federal District Court			X	NC Gen. Stat. §§ 14- 202.10 and 14- 202.12	Plaintiff claims that NC statute that prohibits any adult entertainment business to "contain multiple purposes" or to sell display or exhibit sexually oriented devices" is unconstitutional.
United States v. University of North Carolina	1:07 CV 00592	Federal District Court			X	Title VII Section 703(a); Civil Rights Act of 1964; 42 USC §2000e et seq.	Action brought by US as result of charges of discrimination by employees of NC A&T University. Sexual Discrimination.
Vecellio & Grogran, Inc. v. NC DOT	08 CVS 17010	NC Superior Court	\$5,889,388.00	X			Construction contract claim; NC Gen. Stat. §139-129
Wal-Mart Stores East, Inc. v. Hinton	COA08-450	NC Court of Appeals	\$30,230,338.89	X	X	Commerce clause, due process and other constitutional challenges; NC Gen. Stat. §§ 105-130.6 and 105-130.16	Plaintiff seeks refund for corporate income tax.
Washington, Shelly v. Anderson, Rick, et al	5:09-CT-3131- FL	Federal District Court	\$10,000,000.00	X			Prisoner Litigation
Waste Industries, et al v. State of North Carolina	07 CVS 019407	NC Superior Court			X	NC Session Laws 2007-550 and 2007- 543	Plaintiffs challenge placing restrictions on the granting of permits by DENR for new landfills and seek reimbursement scheme for applicants.
Whisnant v. TSERS	07 CVS 3105	NC Superior Court			X	NC Gen. Stat. §§ 135- 5; 135-106	Class action claiming change in statute deprived plaintiffs of disability/retirement benefits.
Willis v. Henderson	4:06-CV-143	Federal District Court	\$1,000,000.00	X			Plaintiff suing Jones County Clerk of Court claiming clerk has refused to give a document from the files of the Office of the Clerk.
Wright, Carlos v. Hames, FNU, et al	5:08-CV-115- MU-1	Federal District Court	\$2,000,000.00	X			Prisoner Litigation