

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

BEVERLY WAGNER

Plaintiff,

vs.

GAVIN BROWN, individually, and
BROWN & PATTEN, PA.

Defendants.

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

2011 OCT 11 AM 11:53

HAYWOOD COUNTY, C.S.C.
Case No.

11CV 01124

BY _____

COMPLAINT

COMES NOW Plaintiff, Beverly Wagner, by and through her undersigned Counsel, and brings this action against the above-named Defendants as follows:

1. Plaintiff is a citizen and resident of Haywood County, North Carolina.
2. Defendant Gavin Brown is an attorney licensed to practice law in the state of North Carolina and maintains law offices in Haywood County, North Carolina.
3. Defendant Brown & Patten, P.A. is a Professional Association organized and existing under the laws of the state of North Carolina with its principal place of business in Haywood County.
4. At all times relevant to this action, Defendant Gavin Brown acted as an agent of Brown & Patten.
5. On or about March 31, 2009, Plaintiff's husband Lawrence R. Wagner died testate, leaving Plaintiff a disposition of \$100.00 under his will.
6. In approximately the summer of 2009, Plaintiff retained the services of the Defendants to assert her spousal claims under N.C.G.S. 30-15,29-30, and 30-3.1 against the decedent's estate.
7. On or about September 24, 2009, the Defendants filed a document captioned "Dissent from Will", which purported to assert Plaintiff's claim for a life estate in the marital home.
8. On or about February 16, 2010, the Haywood County Clerk of Superior Court sent Defendants a letter stating that Defendant Brown had not adequately asserted the Plaintiff's claim of life estate and asking for proper documentation. (Exhibit A, attached.) Defendants

failed to respond to the letter or otherwise take any appropriate action to protect Plaintiff's rights as the surviving spouse of the decedent.

9. After Plaintiff received a copy of the letter from the Clerk of Court, Defendant Brown assured Plaintiff that he was taking corrective action to secure her claim.

10. Defendants' statements to Plaintiff were false and were reasonably calculated to deceive the Plaintiff into thinking that Defendants were taking appropriate action to assert her claims. Defendants' misrepresentations were made with the intent to induce the Plaintiff not to seek other legal counsel. Plaintiff relied on Defendants' false representations.

11. Between February 16, 2010 and April 19, 2010, Defendant Brown was repeatedly admonished by the Clerk of Court to take corrective action on Plaintiff's file; despite such directives from the Clerk of Court, Defendant Brown failed to file documents asserting Plaintiff's claim to a life estate.

12. On or about April 19, 2010, the Haywood County Clerk of Court entered an order voiding Plaintiff's life estate, leaving her with no further right to claim either a life estate or an elective share in the decedent's estate.

13. Defendants had a duty to take corrective action to comply with the procedural and statutory requirement for properly asserting Plaintiff's claims and Defendants breached that duty.

14. Defendants' failure to adequately and timely assert Plaintiff's claims against the decedent's estate constitutes a breach of duty and a failure to exercise the degree of care which would ordinarily be expected of attorneys similarly situated to Defendants;

15. As a direct and proximate result of Defendants' violation of said duty of care, Plaintiff has suffered damages in excess of \$10,000.00.

16. Defendants acted with intentional and wonton disregard for Plaintiff's rights and economic security.

17. Defendants' actions constitute fraudulent practice and entitle Plaintiff to an award of double damages pursuant to N.C.G.S. §84-13.

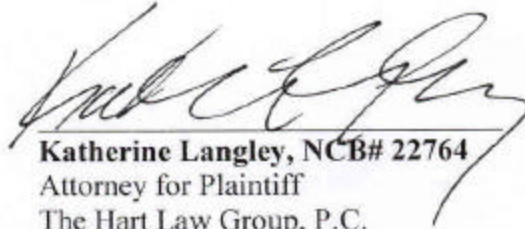
WHEREFORE, Plaintiff prays the Court as follows:

1. That she recover judgment against the Defendant in an amount in excess of \$10,000.00;

2. For an award of double damages pursuant to N.C.G.S. §84-13;
3. That in addition, she recover punitive damages and attorneys fees;
4. For a trial of this matter before a jury; and
5. For such other and further relief as the court deems just and proper.

This, the 7th day of October, 2011.

Respectfully submitted,



Katherine Langley, NCB# 22764

Attorney for Plaintiff

The Hart Law Group, P.C.

93 Church Street

Asheville, NC 28801

Phone: (828) 271-4278

Fax: (828) 258-1031

katherinelangley@thehartlawgroup.com

Exhibit A



State of North Carolina
General Court of Justice
CLERK OF SUPERIOR COURT
HAYWOOD COUNTY JUSTICE CENTER

JUNE L. RAY, CLERK
EX OFFICIO JUDGE OF PROBATE

285 NORTH MAIN STREET, SUITE 1500
WAYNESVILLE, NC 28786
COURIER BOX # 08-16-15

TELEPHONE: (828) 454-8501
FACSIMILE: (828) 458-4937

February 16, 2010

Mr. Gavin A. Brown
Brown & Patten, PA
370 N. Main Street
Suite 206
Waynesville, NC 28786

RE: *Estate of Lawrence Reginald Wagner (File #09-E-224)*

Dear Gavin:

Several weeks ago I telephoned you to discuss the election by Beverly Wagner to take a life estate in and to the property owned by Mr. Wagner at the time of his death. At that time I expressed my concerns regarding the procedure that was utilized as you have simply filed the Election by Ms. Wagner; furthermore, you have recorded a deed for said property without the Clerk's order directing you to do so. In short there are several matters that must be addressed before the Clerk can determine if Ms. Wagner is entitled to the life estate.

No Petition for the Elective Share has been filed (required). No hearing has been set for the Clerk to determine the elective share (required). No notification was mailed to either the Co-Executors or their attorney (required). Since they were never notified of Ms. Wagner's election this office does not have the sufficient information about the total estate assets, which may include a proposed federal estate tax return (even if no tax return is required to be filed). Lastly but also important is the fact that there is over \$12,000.00 in claims against the estate that must be dealt with.

Mr. Gavin A. Brown
February 16, 2010
Page -2-

Please give this matter your immediate attention. I look forward to hearing from you.

Sincerely,

Nancy E. Case
Assistant Clerk

cc: Ms. Beverly Wagner ✓
Mr. Allen B. Koenig, Attorney for the Co-Executors

EXHIBIT 1

Bill liked me and still do.

Q. But you were the personal representative?

A. No, no, no.

Q. You were the attorney for the estate?

A. No, I just helped Angie do it.

Q. You were the attorney who filed --

A. I got Caleb to try to straighten it out the best we can.

Q. And that file was also statistically closed?

A. And Angie never would file -- get the checks to us so we could file the final accounting.

Q. Uh-huh.

A. And her brother, Bill, knows that.

MS. LANGLEY: Can we go off the record for one second?

(Discussion off the record.)

BY MS. LANGLEY:

Q. Okay. Mr. Brown, did you spend some time in Raleigh earlier this year?

A. In Raleigh?

Q. Uh-huh.

A. Oh, yes.

Q. February and March. Why were you in Raleigh?

A. I was in Raleigh because there was an elections meeting.

Q. Okay. How long were you there?

A. One day. Or the night. I mean, I went down one day, spent the night, and left the next day and came home.

Q. Did you rent an apartment in Raleigh from February to March of this year?

A. Did I rent an apartment?

Q. Uh-huh.

A. No.

Q. No? So does the address 5401 Otters Run Court mean anything to you?

A. No, no.

Q. In Raleigh?

A. I've got -- I've got a namesake that has the same name as me, a nephew.

Q. Okay.

A. But he doesn't live there. No, they live in Peru -- Ecuador, Keto. What is -- no. I've never been in Raleigh except when I went down there for the elections meeting.

Q. Okay. Have you ever been treated for alcohol or any other substance abuse?

A. I attended AA for a year, yes, ma'am, voluntarily. I said a number of times, that was back in the '90s. My brother, Reid, who quit drinking just

1 before we opened our office together, commented to me,
2 "Gavin, you don't have a drinking problem, you have a
3 Gavin problem." So I quit drinking for over a year,
4 yes. I drink now.

Q. Okay. How much would you say you drink?

A. Four or five glasses of wine a day. I drink one or two at lunch and a couple at night.

I eat lunch with my wife. My wife has been very ill, and I try to spend some time with her. So we have lunch together, and I'll have a glass of wine or maybe two on occasions, and then I'll have a couple at night. Far too much, my doctor told me.

Q. When did you attend AA?

A. I'm trying to remember. I had already met some folks at -- sometime in the '90s. '96 or '97, because I had already met some folks. And we took a trip to Mexico together, and that was in '97. So it had to be along in there.

Q. And you said you did that for about a year?

A. Uh-huh, yes.

Q. And you no longer attend?

A. No, I do not. I attended with my brother and -- I can't mention other names. I found it to be a very enjoyable experience.

Q. Have you ever -- and you never received any

1 kind of inpatient or outpatient treatment for --

A. No. My brother, Reid, had a serious problem, and that was in 1980 and '81, so. But I haven't, no. Our grandfather was an alcoholic, and it runs in the family genetically. That's why I was concerned in 1997, especially with my brother's situation.

Q. Uh-huh. I understand.

Any other type of substance abuse treatment?

A. I didn't have any to begin with. You said "other."

Q. Yes, I apologize. I apologize. What I was emphasizing was another substance, any other substance?

A. I admit that I drink. I have never used any kind of illegal drugs since college, and I didn't inhale then. No, I'm not -- no, I don't use drugs.

Never been my -- I'm too controlling to use drugs. I don't like what drugs do to you. I have a hard time taking pain medication, quite honestly, for that very reason.

Q. How about gambling, Mr. Brown?

A. I gamble, yes, ma'am.

Q. Ever any issues with addiction there?

A. Issues with addiction?

Q. Uh-huh.

A. Yeah, obviously I'm addicted to gambling. I

love to gamble. When you say addicted, yeah, I played
poker Saturday at Harrah's. I love to play Baccarat,
Texas Hold 'Em.

Q. Do you like going to Harrah's?

A. Excuse me?

Q. Do you like going to Harrah's Casino?

A. Not really. It's the only place around. I
play online some. When you say "addicted," I like to
gamble.

Q. Well, there are groups such as Gambler's
Anonymous and things like that.

A. Oh, no, no, uh-uh.

Q. You never attended any of those?

A. No.

Q. Okay. Have you ever been asked to leave a
casino?

A. Yes, uh-huh. I got mad one night.

Q. When was that?

A. Sometime last year. It was in the fall. I
had a -- he's Russian. He's a Russian floor manager. I
got a little irritated and threw my cup of ice at the
trash can and missed it. And he got on my nerves a
little bit. And then I said I wasn't going to pick up
the cup. And they asked me not to come back. They sent
out a 30-day suspension is what they did. That's once

again my temper gets in a little bit.

Q. Any other times?

A. No. And that was surprising a little bit.
Much --

Q. And you --

A. -- worse behavior than that.

Q. I can imagine.

You said that that was in the fall of 2011,
approximately?

A. Yeah, yeah, yes, uh-huh. Sometime along
there, yes. It was last year sometime. As I said, my
wife and I went over Saturday. She won \$200, and I lost
\$200.

Q. It equals out then.

You said your wife has been ill?

A. Yes. Yes, she developed psoriatic arthritis,
and she has been very ill. It's very difficult for her.

Q. Sorry to hear that.

A. Well, it's -- she's having a tough time
dealing with it herself.

Q. Uh-huh.

A. Having to take the Humera. Humera, which is
a very powerful drug, and it has adverse effects.

MS. LANGLEY: I think that might be all.

(Recess)

MS. LANGLEY: Those would be all of my
questions. Thank you very much.

MR. BALL: We've got one further statement.
He wanted to make or either modify or correct a
statement.

THE WITNESS: When you asked the question
about the Request For Admissions, I didn't respond to
the obvious.

At the time Mrs. Wagner's \$10,000 widow's
allowance had not been paid, so that was still
outstanding. I just assumed everybody knew that. She
had not been paid as of the date of your -- I didn't
know she was paid until just about a month, a couple of
months ago. She was paid in November, I think.

MS. LANGLEY: Okay. I've lost track of my
Request For Admissions.

MR. BALL: You inquired of Mr. Brown about
the Request For Admission, number 15, and why it was
denied.

MS. LANGLEY: Yes.

MR. BALL: And the real reason, and he can
testify to this, but the real reason or a reason was the
fact that the allowance was still pending, was still a
claim, of course.

MS. LANGLEY: Okay.

BY MS. LANGLEY:

Q. To your knowledge, at that point it had not
been paid?

A. I looked in the court file. I can pretty
well guarantee it hadn't been paid.

Q. Okay.

A. She had a difficult time getting that money.
I'm laughing; it's just sad.

MS. LANGLEY: Okay.

MR. BALL: Okay.

MS. LANGLEY: That's all I have.

MR. BALL: All right. Nothing.

Thereupon, the deposition of GAVIN BROWN
concluded at 4:24 p.m.

EXHIBIT 2

THE
HART LAW
GROUP
P.C.

MAY 11 2012

February 10, 2012

Ervin Ball
Ball Barden & Bell, P.A.
18 North Spruce Street
Asheville, NC 28801

Re: Wagner v. Brown, Brown & Patten
File No.: 11 CVS 1124
The Hart Law Group File No.: 2108.002

Dear Ervin:

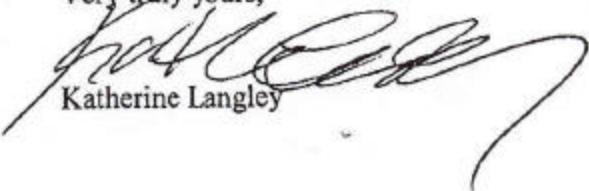
I have reviewed Defendants' responses to the Plaintiff's discovery requests and have noted your objections to our requests for Mr. Brown's medical records as well as Brown & Patton's records reflecting the number of hours Mr. Brown worked in 2009-2010 and his collections for the firm for the same period of time.

This letter is a formal request that you produce the requested records. The Plaintiff's case is that Mr. Brown breached his fiduciary duty to his client; we believe that part of the reason for that breach is that Mr. Brown may have some issues with substance abuse, and that Mr. Brown may have been unable to work much during the relevant time period because of such abuse. Therefore, I submit that we are entitled to obtain the requested documents.

Please re-consider your objection on these issues. If I have not received a response from you by February 17th, I will file a motion to compel production of these items.

If you would like to discuss this by phone, feel free to call me.

Very truly yours,


Katherine Langley

cc: Beverly Wagner

MAY 11 2012

FILED
STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

2 APR 16 PM 3:46
HAYWOOD COUNTY, C.S.C.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

BEVERLY WAGNER

BY *mdj*

Plaintiff,

vs.

GAVIN BROWN, individually, and
BROWN & PATTEN, PA.

Defendants.

Case No. 11-CVS-1124

MEMORANDUM IN SUPPORT
OF MOTION TO RECONSIDER

FACTUAL BACKGROUND

On November 8, 2011, Plaintiff served Defendants with Requests for the Production of Documents which included requests for accountings of collections and hours billed by Defendant Gavin Brown in 2009 and 2010. Plaintiff also requested copies of Defendant Gavin Brown's records from his primary care physician from 2008 through the present. Defendants objected to these requests on grounds of relevance, stating that the requests were made for the purposes of harassment. (Exhibit 1 attached.)

On February 10, 2012, counsel for the Plaintiff wrote to counsel for the Defendant, attempting to resolve the dispute as required by Rule 37 of the North Carolina Rules of Civil Procedure (Exhibit 2), explaining that preliminary evidence tended to suggest that Mr. Brown had a substance abuse problem which may have factored into his failure to attend to Ms. Wagner's case. Defendants affirmed their objections (Exhibit 3) without explanation. A few days later, counsel for the parties had a telephone conference in which Defendant's counsel stated that Mr. Brown claimed that he had asked Ms. Wagner to "take further steps" on her

behalf, and that Ms. Wagner failed to give him permission to do so. Ms. Wagner contends that no such conversation occurred; therefore, Mr. Brown's potential substance abuse was relevant both as an explanation for his malpractice and as a reflection of his credibility. Further, it has direct bearing on Plaintiff's claims against Brown & Patten, P.A. Counsel for the parties remained unable to resolve the discovery dispute.

On March 2, 2012, Plaintiff filed a Motion to Compel which contained the following statement: "Plaintiff is in possession of evidence which would tend to show that Defendant Gavin Brown has problems with substance abuse and may not have been attentive to his case load as a whole during the relevant period of time, and that Defendant Brown & Patten, P.A. knew or should have known about this issue and failed to take action to address it."

On March 19, 2012, a hearing on Plaintiff's motion was held in Haywood County Superior Court. Defendant's counsel expressed dismay at the fact that Plaintiff's motion contained the above reference to "problems with substance abuse," which were now in the public record. Counsel for Defendants represented that Plaintiff's request #5 demanded information about Defendants' other clients. Exhibit 1 shows that this is untrue; no client information, confidential or otherwise, was requested. Defense counsel characterized Plaintiff's discovery requests as "egregious" and demanded an award of expenses.

PROCEDURAL BACKGROUND

Upon notification from the court that Plaintiff's motion would be denied and that counsel for Defendant should prepare an affidavit of fees, Plaintiff requested a hearing pursuant to Rule 37, which provides: "[T]he court shall, *after opportunity for hearing*, require the moving party to pay to the party or deponent who opposed the motion the reasonable expenses incurred in opposing the motion, including attorney's fees, *unless the court finds that the making of the*

motion was substantially justified or that other circumstances make an award of expenses unjust." (Emphasis added). Counsel for Defendants requested that the issue be handled via written objection, and the Court subsequently ordered submission of written objections and responses in lieu of a hearing, over Plaintiff's objection.

Ironically, Defendants' request that the matter be handled by written motion has the foreseeable consequence of further evidence of addiction or substance abuse being placed in the public record, as Mr. Brown's deposition testimony contains admissions of both heavy alcohol use and gambling addiction (Brown Deposition, p. 99 - 101). Plaintiff asserts this testimony now not to embarrass Mr. Brown, but as evidence that the initial request for medical records and a statement of collections was substantially justified under the circumstances. In fact, Plaintiff has tried at every turn not to embarrass Mr. Brown, trying both formally and informally to resolve the discovery dispute, and requesting a hearing instead of submitting motions.

ARGUMENT

Plaintiff's Motion to Compel should be granted because the information sought is relevant, not privileged under Rule 26, and the requests were narrowly tailored to be minimally intrusive. Additionally, even if the motion is denied, the court should not award expenses to the Defendant because a genuine discovery dispute existed between the parties, which the Plaintiff tried in good faith to resolve. The Plaintiff was substantially justified in bringing the matter to court for determination.

I. Plaintiff's discovery requests are relevant under Rule 26.

Plaintiff's discovery requests seek information which is relevant to the issues in this case and which is reasonably calculated to lead to the discovery of admissible evidence. No privilege has been asserted for either request. The standard of relevance at the discovery phase is much

broader than that which applies at trial. Under North Carolina discovery rules, subject only to limitation by court order, any party to a civil action is entitled to all information relevant to the subject matter of that action *unless such information is privileged*. G.S. 1A-1, Rule 26(b)(1).

Stone v. Martin, 56 N.C. App. 473 (1982) (emphasis added).

Gray Wilson, in his treatise on North Carolina Civil Procedure, notes:

Since decisions as to relevance to the subject matter of the action are made for discovery purposes well in advance of trial, a flexible treatment of relevance is required and the making of discovery, whether voluntary or under court order, is not a concession or a determination of relevance for purposes of trial. The words "subject matter" have been broadly interpreted to include discovery of facts far beyond the simple merits of the case. Inquiry into collateral matters for impeachment purposes and procedural issues addressed to threshold legal questions should be permitted. Even discovery into matters which might promote settlement of the case has been held proper. Discovery designed to fully develop the scope of a claim or defense is of course appropriate, and is the very aim of this rule, extending not only to issues of liability but also damages.

North Carolina Civil Procedure §26-2.

The burden of showing that the requested discovery is not relevant to the issues in the case is on the party resisting discovery. Flora v. Hamilton, 81 F.R.D. 576, 578 (M.D.N.C. 1978), *citing* Zucker v. Sable, 72 F.R.D. 1, 3 (S.D.N.Y.1975). Here, the Defendants have not met their burden to show that the discovery requested is not relevant to the issues in the case under the broad standard of Rule 26. Defendants are offended at the requests; however, whether or not a request gives offense has no bearing on relevance, which is the only determining factor in the discovery phase. The Plaintiff's requests were narrowly tailored to match the relevant time frame of the issues in dispute in the case; Plaintiff did not request *all* Mr. Brown's medical records, for example, but only those from his primary care physician, and only beginning 1 year prior to Mr. Brown's initial contact with Ms. Wagner. Similarly, the billing request was only for

total hours billed and collections by Mr. Brown for 2009 and 2010, when he represented Ms. Wagner; had Plaintiff's motivation been for purposes of harassment, the request would have spanned a much broader time.

Defendants have not asserted any privilege in connection with the requested records. As noted in the hearing on this issue, if a privilege is not asserted in responding to discovery requests, it is deemed waived. Adams v. Lovette, 105 N.C. App. 23 (1992). ("When the plaintiff requested the defendant's medical records, the defendant impliedly waived his alleged privilege because he objected to the request, not on the grounds of privilege, but on the grounds of relevance.")

Plaintiff's Complaint includes a prayer for double damages under N.C.G.S. §84-13, which states: "If any attorney commits any fraudulent practice, he shall be liable in an action to the party injured, and on the verdict passing against him, judgment shall be given for the plaintiff to recover double damages." Whenever an attorney breaches his fiduciary responsibility to his client, a presumption of fraud is created. Edgerton v. Logan, 81 N.C. 172 (1879), Jay Group Ltd., v. Glasgow, 139 N.C. App. 595, 534 S.E.2d 233 (2000). The presumption is rebuttable; therefore, evidence that Mr. Brown had been treated for substance abuse would be germane to the Plaintiff's claim of fraud if Mr. Brown or his firm knew or should have known that he was not able to represent Plaintiff competently. It might also lead the Plaintiff to assert additional claims against Brown and Patten, P.A.

Even if the Plaintiff's discovery requests relate only to collateral issues, the matters are nonetheless well within the purview of discoverable evidence contemplated by Rule 26. The requests could lead to the discovery of admissible evidence to be used for impeachment purposes and for witness credibility or to assert additional claims, as noted above. The Defendants'

concerns about confidentiality can be adequately met through other safeguards. The documents could be produced subject to a protective order, and the medical records could even be reviewed by the Court *in camera* before being produced to the Plaintiff. Additionally, the Defendants are free to move *in limine* to restrict or even prohibit the use of the requested documents in the trial of this matter.

II. The Plaintiff's Motion to Compel represents a genuine dispute which does not warrant an award of attorney's fees.

The provision for awarding expenses, including attorney's fees, is designed to address and discourage abuses in the discovery process. Rule 37, Comment. But Rule 37 on its face allows the court to find that a particular discovery request was substantially justified. The commentary to the rule further provides:

On many occasions, to be sure, the dispute over discovery between the parties is genuine, though ultimately resolved one way or the other by the court. In such cases, the losing party is substantially justified in carrying the matter to court. *But the rules should deter the abuse implicit in carrying or forcing a discovery dispute to court when no genuine dispute exists. . . .* The amendment does not significantly limit the discretion of the court, but rather presses the court to address itself to abusive practices. (Emphasis added.)

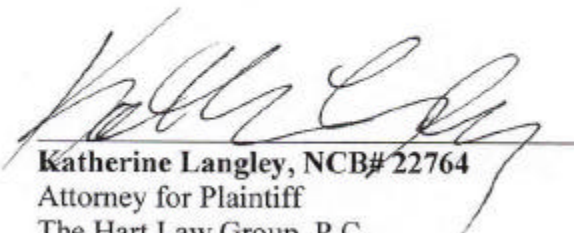
Awarding expenses based on Ms. Wagner's motion to compel is a penalty not contemplated by Rule 37, since in this case, a genuine dispute exists. Plaintiff's discovery requests were substantially justified, and appropriate efforts were made to resolve the dispute. Defendants' responses and correspondence do not express, nor even imply, that the request was frivolous or abusive. The parties were unable to resolve the dispute, despite making appropriate efforts to do so; thus a request for the Court to rule on it was appropriate. Rule 37 and its commentary give free reign to the Court to find that awarding expenses in a case such as this is inappropriate. Indeed, an award of expenses in such a case creates a "chilling effect" on

plaintiffs who may choose not to bring a motion to compel, no matter how genuine their discovery requests, because they do not care to risk an award of expenses. This gives an advantage to the party opposing the requests, which is also not in keeping with Rule 37.

CONCLUSION

Ms. Wagner has been left destitute by Defendants' failure to represent her adequately. Her requests for production of documents seek information which is relevant to the issues in the case, and her efforts to obtain the materials have been respectful and appropriate at every turn. She respectfully urges the Court to reconsider its pending order on her Motion to Compel, and especially, to reconsider the award of expenses to Defendants in this case.

This the 16th day of April, 2012.



Katherine Langley, NCB# 22764
Attorney for Plaintiff
The Hart Law Group, P.C.
93 Church Street
Asheville, NC 28801
Phone: (828) 271-4278
Fax: (828) 258-1031
katherinelangley@thehartlawgroup.com

CERTIFICATE OF SERVICE

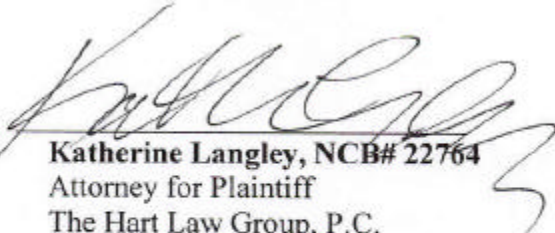
This is to certify that I have this day served Defendant with a copy of Plaintiff's Memorandum in Support of Motion to Reconsider by depositing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon, addressed as follows:

Mr. Ervin Ball
Ball Barden & Bell, P.A.
18 North Spruce Street
Asheville, NC 28801

This the 16th day of April, 2012.

The Hart Law Group, P.C.

By:


Katherine Langley, NCB# 22764

Attorney for Plaintiff

The Hart Law Group, P.C.

93 Church Street

Asheville, NC 28801

Phone: (828) 271-4278

Fax: (828) 258-1031

katherinelangley@thehartlawgroup.com