

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
June 3, 2023

Subject: Update! 22CVS2094, Eugene Blankenship v. Smoky Mountain Event Center, Inc.

Here's the update on another lawsuit against the county, and specifically against **Tommy Long** [M] and **Ben Wilder**. To refresh your memory, see www.haywoodtp.net

[22CVS2094 \(Buncombe\). Eugene "Gene" Blankenship v. SMOKY MOUNTAIN EVENT CENTER lawsuit. Tommy Long and Ben Wilder, along with all other Board Members getting their \[expletive deleted\] sued off. 3/21/2023...](http://www.haywoodtp.net/pubII/230322-22CVS2094Buncombe.pdf)

<https://www.haywoodtp.net/pubII/230322-22CVS2094Buncombe.pdf>

[**Editor's Note:** In order for you to receive updates, and since this case was filed in Buncombe County, one must make a trip over to the Buncombe County Clerk of Superior Court's office to access the file.]

Not much to report, based on the content of the file, other than there was a NOTICE OF WITHDRAWAL, AND SUBSTITUTION OF COUNSEL, see next page. The original lawyer (Jonathan W. Yarbrough) for **Tommy Long** [M] and **Ben Wilder** has been changed to two new lawyers (same law firm) -

- Shannon ("Missy") Sumerell Spainhour
- Rodrigo Pocasangre



Spainhour



Pocasangre

So, how does this thing go from there. There are a couple of possibilities -

- Goes to court
- Some kind of settlement

In the event of either of these, and **Tommy Long** [M] and **Ben Wilder** loose, who pays? Does the county have insurance for this, or does this come out of your pocket? And, whatever happened to the issue of the Smoky Mountain Event Center being in the hole for \$8K with the IRS?

<https://www.haywoodtp.net/pubII/230327IronicSmokyEventCenter8K-IRS-Penalty.pdf>

Monroe A. Miller, Jr.
Haywood County Taxpayer

FILED

JUN 2 2023

NORTH CAROLINA

BUNCOMBE COUNTY

EUGENE BLANKENSHIP,

2023 APR 28 A 9:45

BUNCOMBE CO., C.S.C.

BY _____
Plaintiff,

THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
22-CVS-02094

v.

SMOKY MOUNTAIN EVENT CENTER,
INC.

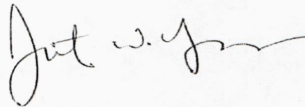
Defendant.

NOTICE OF WITHDRAWAL AND
SUBSTITUTION OF COUNSEL

Defendant Smoky Mountain Event Center, Inc., by and through undersigned counsel, hereby gives notice that while the law firm of Constangy, Brooks, Smith & Prophete, LLP, is still representing Defendant in this action, Shannon S. Spainhour and Rodrigo Pocasangre are now counsel of record, and Jonathan W. Yarbrough should be removed as counsel of record for Defendant.

DATED this 25th day of April, 2023.

Respectfully submitted,



Jonathan W. Yarbrough
N.C. State Bar No. 21316
CONSTANGY, BROOKS,
SMITH & PROPHETE, LLP
84 Peachtree Road, Suite 230
Asheville, NC 28803
Telephone: (828) 277-5137
Facsimile: (828) 277-5138
Email: jyarbrough@constangy.com

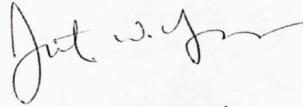
Attorney for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a copy of the foregoing **NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL** was served on opposing counsel by depositing a copy of same in the United States Mail in Asheville, North Carolina, postage paid, and addressed as follows as well as served via e-mail to steve@hylerandagan.com:

Stephen P. Agan
Hyler & Agan, PLLC
38 Orange Street
Asheville, NC 28801
Counsel for Plaintiff

This the 25th day of April, 2023



Jonathan W. Yarbrough
N.C. State Bar No. 21316
CONSTANGY, BROOKS,
SMITH & PROPHETE, LLP
84 Peachtree Road, Suite 230
Asheville, NC 28803
Telephone: (828) 277-5137
Facsimile: (828) 277-5138
Email: jyarbrough@constangy.com

Attorney for Defendant