

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

COUNTY OF CURRITUCK

19 CVS 171

GERALD CONSTANZO, BRYAN DAGGOT,)
JOHN DUMBLETON, PHILIP SCHNEIDER,)
CLARA SCHNEIDER, MARGARET BINNS,)
MOHAN NADKARNI, GREGORY A. WANDER,)
RONALD BUCHANAN, STACEY)
MCCONNELL, GARY S. MILLER,)
JEFFREY P. FUSSNER, WILLIAM T. COLLINS,)
REX LUZADER, ELIZABETH SCHWEPPE,)
GERRILEA ADAMS, RICHARD J. CHOWN,)
PATRICIA C. CHOWN, GARY GOSNELL,)
MARY MAGNER, MICHAEL C. BRIGATI,)
ROBERT RICHARDSON, MARYANN)
DUMBLETON, and COROLLA CIVIC)
ASSOCIATION,)

Plaintiffs,)

v.)

CURRITUCK COUNTY, NORTH CAROLINA;)
THE CURRITUCK COUNTY TOURISM)
DEVELOPMENT AUTHORITY; THE)
CURRITUCK COUNTY BOARD OF)
COMMISSIONERS; and DANIEL F.)
SCANLON II, CURRITUCK COUNTY)
MANAGER and BUDGET OFFICER,)
both in his official capacity and in his individual)
capacity,)

Defendants.)

DEFENDANTS'
MOTION FOR
SUMMARY JUDGMENT

NOW COME the defendants, by and through counsel, and, pursuant to Rule 56 of the North Carolina Rules of Civil Procedure, move for judgment in their favor on the plaintiffs' claims.

As grounds for this motion, the defendants assert that there is no genuine dispute of material fact and that, as a matter of law, they are entitled to judgment in

their favor. In support of this motion, the defendants rely on all documents utilized in this action, including the depositions of Sandra Hill, Selina Jarvis, Mary “Kitty” Etheridge, Owen Etheridge, Kevin McCord, and Bob White; the Affidavit of Bob White; and defendants’ supporting summary judgment brief, which will be served in accordance with the North Carolina Rules of Civil Procedure.

Respectfully submitted, this 19th day of November, 2021.



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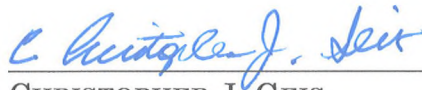
CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an attorney at law licensed to practice in the State of North Carolina, is attorney for defendants in this matter, and is a person of such age and discretion as to be competent to serve process.

That on November 19, 2021, he served a copy of the attached **DEFENDANTS' MOTION FOR SUMMARY JUDGMENT** by electronic email to the attorney listed below:

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