STATE OF NORTH CAROLINA

BRUNSWICK COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
23 CVS 98

BALD HEAD ISLAND LIMITED, LLC and BALD HEAD ISLAND TRANSPORTATION, INC.

Plaintiffs,

v.

VILLAGE OF BALD HEAD ISLAND,

Defendant.



ORDER DENYING MOTION TO DISMISS PLAINTIFFS' FOURTH AND FIFTH CLAIMS FOR RELIEF

THIS MATTER coming on for hearing before the undersigned Special Superior Court Judge at the January 8, 2024 civil session of Brunswick County Superior Court, upon Defendants' Motion pursuant to N.C. R. Civ. P. 12(b)(6) to dismiss the Fourth and Fifth Claims for Relief asserted in Plaintiffs' Amended Complaint;

And the Court having reviewed the Amended Complaint and having considered the parties' briefs and the arguments of counsel, and it appearing to the Court that the Motion should be denied.

In the exercise of its discretion, the Court denies the Motion.

This the 8th day of January, 2024.

The Honorable Quintin McGee
Judge Presiding

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing **ORDER DENYING MOTION TO DISMISS PLAINTIFFS' FOURTH AND FIFTH CLAIMS FOR RELIEF** by causing to be delivered to the undersigned counsel via hand-delivery:

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This the 8th day of January, 2024.

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