

UNION COUNTY SUPERIOR COURT CIVIL CALENDAR
SESSION BEGINNING MONDAY, MAY 20, 2024
COURTROOM NUMBER 7, COURTS FACILITY BUILDING
DAWN M. LAYTON ,PRESIDING JUDGE
TRIALS AND MOTIONS BEGINNING MONDAY, MAY 20, 2024 AT 10:00 AM
MOTIONS BEGINNING MONDAY, MAY 20, 2024 AT 10:00 A.M.
TRIALS BEGINNING TUESDAY, MAY 21, 2024 AT 9:30 A.M.
COURT REPORTER: CHRISSY ELMINOWSKI

THIS IS THE LAST CALENDAR PUBLISHED TO THE INTERNET BEFORE COURT ON MONDAY.

*** PLEASE CONTACT ME IF YOU HAVE SENT IN A CALENDAR REQUEST BUT DO NOT SEE YOUR
MOTION/TRIAL ON THE CALENDAR.***

Court will begin on Monday, May 20, 2024 at 10:00 a.m. Motions, Non-Jury Hearings and
Pre-Trial conferences will be called at the time listed on the calendar. PLEASE NOTE THE
TIME/DAY YOUR MOTION(S) IS SET FOR.

The Jury will report on Tuesday, May 21, 2024 at 9:30 a.m. with trials beginning shortly
thereafter.

For cases on the trial docket - Please have your proposed pre-trial order to our office
by 3:00 p.m. the Friday prior to the start of court.

Any request for the removal or the addition of a case for this calendar should be
directed in writing to Honorable Jonathan W. Perry, Senior Resident Superior Court Judge
with copies to all parties. Each request must state the reason and if it is consented to
by all parties.

Any case not reached this term of court may be calendared for the next session of court,
which is June 3, 2024.

*** Please contact the office if you would like a printout of the Union County Civil
Sessions for 2024.***

Jessica L. Mangum-Superior Court Manager
Judicial District 30
P.O. Drawer 829- Monroe, NC 28111-0829
704-698-3210 Telephone Number
704-698-3117 Fax Number
Jessica.L.Mangum@nccourts.org

UNION COUNTY SUPERIOR COURT CIVIL CALENDAR
SESSION BEGINNING MONDAY, MAY 20, 2024
COURTROOM NUMBER 7, COURTS FACILITY BUILDING
THE HONORABLE DAWN M. LAYTON PRESIDING JUDGE

MOTIONS BEGINNING MONDAY, MAY 20, 2024 AT 10:00 A.M.
TRIALS BEGINNING TUESDAY, MAY 21, 2024 AT 9:30 A.M.
COURT REPORTER: CHRISSY ELMINOWSKI

Prepared May 16, 2024

=====

MOTIONS CALENDAR

1 _____

Monday, May 20, 2024
TIME: 10:00 AM

24-CVS-000039 PLAINTIFF

ATTORNEY(S)

ALLEN,SHANIYA MINOR
ALLEN,CECILE,DENISE GAL
ALLEN,CECILE,DENISE

FOGGIA,ADAM
FOGGIA,ADAM
FOGGIA,ADAM

DEFENDANT

ATTORNEY(S)

BRATTAIN,JOHN,DOUGLAS
BRATTAIN,ANITA,GIBSON

NANCE,THOMAS,G,II
NANCE,THOMAS,G,II

EVENT: MOTION

ISSUES: MINOR SETTLEMENT
APPOINTING GUARDIAN AD LITEM
MINOR SETTLEMENT

DAYS SINCE FILING: 132

Motion for Approval of Minor Settlement. TO BE HEARD Via WEBEX.

2

Monday, May 20, 2024

TIME: 10:00 AM

24-SP-000261 PLAINTIFF

ATTORNEY(S)

MOHAMMED,LEMIA
MOHAMED,OMAR

FARBMAN,MARK,I
FARBMAN,MARK,I

DEFENDANT

ATTORNEY(S)

HARTFORD INSURANCE

THOMPSON,BENJAMIN,E

EVENT: MOTION

DAYS SINCE FILING: 17

Petition for Approval of Minor Settlement. 10 mins.

3

Monday, May 20, 2024

TIME: 10:00 AM

24-CVS-000292 PLAINTIFF

ATTORNEY(S)

GAYE,TIMOTHY

MATHENY,JOHN,DAVID,II

DEFENDANT

ATTORNEY(S)

STATE FARM FIRE AND CASUALTY CO

PRO SE
TIERNEY,OWEN,C,JR

EVENT: MOTION

ISSUES: CONTRACT
DISMISS (INVOLUNTARY)

DAYS SINCE FILING: 108

Defendant's Motion to Dismiss. 20 minutes.

4 _____

Monday, May 20, 2024
TIME: 10:00 AM

24-CVS-000679	PLAINTIFF	ATTORNEY(S)
-----	-----	-----
	CAMPBELL,NANCY,DEESE	SCIBELLI,JOSEPH,V
	DEFENDANT	ATTORNEY(S)
-----	-----	-----
	NONE	PRO SE

EVENT: MOTION

ISSUES: PETITION FOR RELEASE OF

DAYS SINCE FILING: 78

Petition for Release of Custodial LEA Recording.

5 _____

Monday, May 20, 2024
TIME: 10:00 AM

24-CVS-000810	PLAINTIFF	ATTORNEY(S)
-----	-----	-----
	STALLINGS TOWNES LLC	MCLEOD,SEAN,A
		REDDING,DAVID,G
	DEFENDANT	ATTORNEY(S)
-----	-----	-----
	HG&L DEVELOPMENT LLC	SEGRETI,LOUIS
		WINDLE,STEELE,B,III
	BAIRD,SHAY,WILLIAM	SEGRETI,LOUIS
		WINDLE,STEELE,B,III

EVENT: MOTION

ISSUES: SLANDER OF TITLE

CONTRACT

PIERCING THE CORPORATE V

PRELIMINARY INJUNCTION

CONTRACT

ENFORCEMENT OF CLAIM OF

DAYS SINCE FILING: 66

Plaintiff's Motion for Preliminary Injunction. 30 minutes.

6 _____

Monday, May 20, 2024
TIME: 10:00 AM

23-CVS-000303	PLAINTIFF	ATTORNEY(S)
-----	-----	-----
	GIST,SEAN	HUEGEL,ERIN,C
	GIST,ELIZABETH	HUEGEL,ERIN,C
	DEFENDANT	ATTORNEY(S)

PARADISE PROS PRESSURE WASHING
LLC

JESSON, EDWARD, AUBIN

EVENT: MOTION

ISSUES: CONTRACT

UNFAIR TRADE PRACTICE
PUNITIVE DAMAGES
UNJUST ENRICHMENT / QUAN
NEGLIGENCE / NEGLIGENCE
VIOLATION OF NCGS 87-1
VIOLATION OF NCGS 44A-7/
VIOLATION OF FED/STATE D
CONTRACT
UNJUST ENRICHMENT
QUANTUM MERUIT
DISMISS (INVOLUNTARY)
DISMISS (INVOLUNTARY)
ORDER TO MEDIATED SETTLEMENT
DESIGNATE A MEDIATOR
EXTEND COMPLETION DATE O
SUMMARY JUDGMENT

DAYS SINCE FILING: 470

Plaintiffs' Motion for Summary Judgment. 30 minutes.

7

Monday, May 20, 2024

TIME: 10:00 AM

23-CVS-003412 PLAINTIFF

ATTORNEY(S)

INNIS, JOHN, ADAM

CROW, HARRY, B, JR

DEFENDANT

ATTORNEY(S)

JOHNSTON, PHYLISS
BASTION INVESTMENT GROUP LLC
HURTADO, ELENA
MUNHOZ, FERNADA, GIGLIO
ANY AND ALL PERSONS
OWENS, MARGIE

BLAND, MICHAEL, D
RENFRO, ROBERT, GRAHAM
RENFRO, ROBERT, GRAHAM
FIGUEROA, MICHELE, KERNICE
PRO SE
DUGGAN, CHRISTOPHER, MICHAEL

EVENT: MOTION

ISSUES: DECLARATORY JUDGMENT

APPOINTING GUARDIAN AD LITEM
SANDER OF TITLE
DISMISS (INVOLUNTARY)
PUNITIVE DAMAGES
CIVIL CONSPIRACY
DECLARATORY JUDGMENT
QUIET TITLE
SLANDER OF TITLE
PUNITIVE DAMAGES
CIVIL CONSPIRACY
FRAUD
QUIET TITLE
DISMISS (INVOLUNTARY)
JUDGMENT ON PLEADING
JUDICIAL NOTICE

DAYS SINCE FILING: 149

Plaintiff's Motion for Judgment on the Pleadings.

8

Monday, May 20, 2024

TIME: 10:00 AM

23-CVS-001223 PLAINTIFF

ATTORNEY(S)

BELOTTE, BEAUGENOR

BENNETT, STEPHEN, MARK

DEFENDANT

ATTORNEY(S)

BOULWARE, DOROTHY, A
DOES, JOHN 1-10

PRO SE
PRO SE

EVENT: MOTION

ISSUES: INJUNCTION

TRESPASS

ENTRY OF DEFAULT

DEFAULT JUDGMENT

DAYS SINCE FILING: 373

Plaintiff's Motion for Default Judgment. 15 minutes.

9

Monday, May 20, 2024

TIME: 10:00 AM

23-CVS-000259 PLAINTIFF

ATTORNEY(S)

TOMAN, JOSHUA, M

PETTIT, WILLIAM, W

DEFENDANT

ATTORNEY(S)

USMANI, NAJAM
EPIC III HOLDINGS LLC
USMANI HOLDINGS LLC
MARVIN VILLAS LLC
PHILLIPS POINTE LLC

COOPER, STEPHANIE
COOPER, STEPHANIE
COOPER, STEPHANIE
COOPER, STEPHANIE
COOPER, STEPHANIE

EVENT: MOTION

ISSUES: REVERSE PIERCING THE COR

CONTRACT

PUNITIVE DAMAGES

BREACH OF FIDUCIARY DUTY

CONSTRUCTIVE FRAUD

FRAUD

UNJUST ENRICHMENT

CONSTRUCTIVE TRUST

RESULTING TRUST

SUCCESSOR LIABILITY

UNFAIR TRADE PRACTICE

DISMISS (INVOLUNTARY)

ORDER TO MEDIATED SETTLEMENT

DESIGNATE A MEDIATOR

COMPEL

PARTIAL SUMJ

RELEASE LIS PENDENS
SUMMARY JUDGMENT

DAYS SINCE FILING: 476

Defendants' Motion for Partial Summary Judgment and Motion to Release Lis
Pendens. 30 minutes. Plaintiff's Motion for Summary Judgment. 1 hour.

10

Monday, May 20, 2024

TIME: 10:00 AM

20-CVS-001068 PLAINTIFF

ATTORNEY(S)

SHELTON, ERIC

BUDD, LAURA, H S

BUDD, LAURA, H

SHELTON, SHAMEA

BUDD, LAURA, H S

BUDD, LAURA, H

DEFENDANT

ATTORNEY(S)

GABBIDON BUILDERS LLC

BANKS, F, DOUGLAS

PRO SE

GABBIDON, LEONARD

BANKS, F, DOUGLAS

PRO SE

EVENT: MOTION

ISSUES: CONTRACT

UNJUST ENRICHMENT

NEGLIGENCE - OTHER

UNFAIR TRADE PRACTICE

PUNITIVE DAMAGES

BREACH OF FIDUCIARY DUTY

NEGLIGENT MISREPRESENTAT

FRAUD

STAY PROCEEDINGS AND COM

COMPEL

DISMISS (INVOLUNTARY)

CANCEL LIS PENDENS

NOTICE OF BANKRUPTCY

LIFT STAY / TERMINATE AR

CONSOLIDATION

WITHDRAW AS COUNSEL

DAYS SINCE FILING: 1459

Motion to Withdraw - D. Banks. 15 minutes.

11

Monday, May 20, 2024

TIME: 10:00 AM

20-CVS-002508 PLAINTIFF

ATTORNEY(S)

NIGAM, MUKESH

BUDD, LAURA, H S

BUDD, LAURA, H

NIGAM, SANDHYA

BUDD, LAURA, H S

BUDD, LAURA, H

DEFENDANT

ATTORNEY(S)

GABBIDON, LEONARD
EVENT: MOTION

BANKS, F, DOUGLAS

ISSUES: UNJUST ENRICHMENT
NEGLIGENCE - OTHER
UNFAIR TRADE PRACTICE
BREACH OF FIDUCIARY DUTY
NEGLIGENT MISREPRESENTAT
FRAUD
CONTRACT
ENTRY OF DEFAULT
SET ASIDE ENTRY OF DEFAULT
COMPEL
COMPEL ARBITRATION
LIFT STAY
CONSOLIDATION
WITHDRAW AS COUNSEL

DAYS SINCE FILING: 1291

Motion to Withdraw - D. Banks. 15 minutes.

12

Monday, May 20, 2024
TIME: 10:00 AM

23-CVS-003262 PLAINTIFF

ATTORNEY(S)

PICOZZI, LUC, MATTHEW MINOR
PICOZZI, MATTHEW GAL
PICOZZI, NOELLE
PICOZZI, MATTHEW

GILPIN, DAVID, W
GILPIN, DAVID, W
GILPIN, DAVID, W
GILPIN, DAVID, W

DEFENDANT

ATTORNEY(S)

NATL FEDERATION OF STATE HIGH
SCHOOL ASSN
NC HIGH SCHOOL ATHLETIC ASSN INC

DEDMAN, JAMES, M, IV

LASSITER, ELBERT

SHEINIS, RICHARD, NEAL
BROOK, LAURA, GREGORY
ANDERSON, MATTHEW
DAGGER, KELLY, MARGOLIS
ANDERSON, MATTHEW, ALLEN LAWSON
SHEINIS, RICHARD, NEAL
BROOK, LAURA, GREGORY
DAGGER, KELLY, MARGOLIS
ANDERSON, MATTHEW, ALLEN LAWSON
SHEINIS, RICHARD, NEAL
BROOK, LAURA, GREGORY
ANDERSON, MATTHEW
DAGGER, KELLY, MARGOLIS
ANDERSON, MATTHEW, ALLEN LAWSON
SHEINIS, RICHARD, NEAL
ANDERSON, MATTHEW, ALLEN LAWSON
DAGGER, KELLY, MARGOLIS
BROOK, LAURA, GREGORY
SHEINIS, RICHARD, NEAL
BROOK, LAURA, GREGORY
ANDERSON, MATTHEW
DAGGER, KELLY, MARGOLIS
ANDERSON, MATTHEW, ALLEN LAWSON
BOLICK, RYAN, D

LASSITER, ELBERT OFFICIAL CAPACITY

DUNCAN, CHAD

DUNCAN, CHAD OFFICIAL CAPACITY

UNION CO BD OF EDUC

DOE,JOHN 1	PRO SE
DOE,JOHN 2	PRO SE
HATCH,PARKER MINOR	BRAGG,ELLEN,A
HATCH,KEVIN OBO	BRAGG,ELLEN,A
HATCH,HANNAH OBO	BRAGG,ELLEN,A
HATCH,KEVIN	BRAGG,ELLEN,A
HATCH,HANNAH	BRAGG,ELLEN,A

EVENT: MOTION

ISSUES: NEGLIGENCE - OTHER
NEG INFLICTION OF EMOTIO
NEGO THROUGH CONSTITUENT
NEG INFLIC EMO DIST BY M
NEG/RECKLESS/WILLFUL/WAN
NEG INFLICTION OF EMOTIO
LIABILTY
APPOINTING GUARDIAN AD LITEM
DISMISS (INVOLUNTARY)
DISMISS (INVOLUNTARY)
DISMISS (INVOLUNTARY)
DISMISS (INVOLUNTARY)
DISMISS (INVOLUNTARY)
AMEND
SPECIAL ADMISSION PRACTICE IN NC
SECURED LEAVE 07/01/24-0
DAVID B JORDAN PRO HAC V

DAYS SINCE FILING: 163

Defendants NCHSAA, Elbert Lassiter and Chad Duncan's Motion to Dismiss. 30 minutes. Defendant Kevin Hatch's Motion to Dismiss and Motion for Attorney's Fees. 30 minutes. Defendant National Federation of State High School Associations Motion to Dismiss. 30 minutes. Plaintiffs' Motion for Leave to Amend Complaint. 20 minutes.

13

Monday, May 20, 2024

TIME: 10:00 AM

23-E-000728	PLAINTIFF	ATTORNEY(S)
	-----	-----
	ROBINSON,RICHARD CAVEATOR	HARRINGTON,JAMES,J
	SAIN,PATRICIA,ROBINSON CAVEATOR	HARRINGTON,JAMES,J
	PLYLER,MICHELLE	HARRINGTON,JAMES,J
		PRO SE
	PLYLER,RONALD	HARRINGTON,JAMES,J
		PRO SE
	DEFENDANT	ATTORNEY(S)
	-----	-----
	BIGGERS,SYLVIA,ROBINSON	HELMS,RAY,K,JR
	PROPOUNDER	
	ESTATE	ATTORNEY(S)
	-----	-----
	EST. OF CATHERINE WELSH ROBINSON	

EVENT: MOTION

DAYS SINCE FILING: 234

Propounder's Motion to Compel. 15 minutes.

14

Monday, May 20, 2024
TIME: 10:00 AM

20-E-000240	PLAINTIFF	ATTORNEY(S)
	-----	-----
	JACKSON,MARTHA,GRIFFIN CAVEATOR	BURNS,JOHN,T
	CHESIRE,TARA,LYNN CAVEATOR	BURNS,JOHN,T
	CHESIRE,ANDREW,JASON CAVEATOR	BURNS,JOHN,T
	DEFENDANT	ATTORNEY(S)
	-----	-----
	GRIFFIN,MICHAEL,GRAHAM PROPOUNDER	HELMS,RAY,K,JR
	ESTATE	ATTORNEY(S)
	-----	-----
	EST OF GRAHAM WORLEY GRIFFIN	

EVENT: MOTION
DAYS SINCE FILING: 298

Propounder's Motion to Compel. 15 minutes.

15 _____

Monday, May 20, 2024
TIME: 10:00 AM

20-CVS-002637	PLAINTIFF	ATTORNEY(S)
	-----	-----
	UNION CO	MOSS,JOSEPH,W,JR
		BARNETT,SARA,ASHLEY
		HOLTGREWE,MATTHEW,MICHAEL
	DEFENDANT	ATTORNEY(S)
	-----	-----
	SIMPSON,WILLIAM,STEPHEN	DUGGAN,CHRISTOPHER,MICHAEL

EVENT: MOTION

ISSUES: CONDEMNATION
ORDER TO MEDIATED SETTLEMENT
EXTENSION OF TIME
DESIGNATE A MEDIATOR
CONDEMNATION
SET ASIDE JUDGMENT
WITHDRAW AS COUNSEL

DAYS SINCE FILING: 1277

Defendant's Motion to Set Aside Consent Judgment Per Rule 60. 10 minutes.

16 _____

Monday, May 20, 2024
TIME: 10:00 AM

21-CVS-000664	PLAINTIFF	ATTORNEY(S)
	-----	-----
	UNION CO	MOSS,JOSEPH,W,JR
		BARNETT,SARA,ASHLEY
		HOLTGREWE,MATTHEW,MICHAEL
	DEFENDANT	ATTORNEY(S)
	-----	-----

EVENT: MOTION

ISSUES: INJUNCTION
PRELIMINARY INJUNCTION
ENTRY OF DEFAULT
DEFAULT JUDGMENT
CONTEMPT
PETER DWYER APPOINTED FO
CONTINUE
ORDER DISMISSION OTSC
WITHDRAW AS COUNSEL
CONTEMPT
PETER DWYER APPOINTED FO

DAYS SINCE FILING: 1161

Order to Show Cause and Appear - G. Straing, and status conference.

17 _____

Monday, May 20, 2024
TIME: 10:00 AM

21-CVS-002779	PLAINTIFF	ATTORNEY(S)
-----		-----
	UNION CO	MOSS,JOSEPH,W,JR BARNETT,SARA,ASHLEY HOLTGREWE,MATTHEW,MICHAEL
	DEFENDANT	ATTORNEY(S)
-----		-----
	MANDELL,RENEE,LEE	DWYER,PETER,FITZGERALD PRO SE

EVENT: REVIEW

ISSUES: INJUNCTION
PRELIMINARY INJUNCTION
INJUNCTION
PRELIMINARY INJUNCTION
ORDER TO MEDIATED SETTLEMENT
DISPENSE WITH MEDIATED S
EXTENDING COMPLETION DAT
DISPENSE W/MEDIATION OR
ACCESS TO PROP EASEMT FO
INJUNCTION
CONTEMPT
JUDGE APPOINTS MILES HEL
JUDGE APPOINTS PETER DWY

DAYS SINCE FILING: 958

Status Conference.

18 _____

Monday, May 20, 2024
TIME: 10:00 AM

23-CVS-002707	PLAINTIFF	ATTORNEY(S)
-----		-----

UNION CO

BARNETT, SARA, ASHLEY
HOLTGREWE, MATTHEW, MICHAEL
MOSS, JOSEPH, W, JR

DEFENDANT

ATTORNEY (S)

MCMANUS, JOHN, D
MCMANUS, CHRISTA, B

PRO SE
PRO SE

EVENT: MOTION

ISSUES: INJUNCTION
PRELIMINARY INJUNCTION
SUMMARY JUDGMENT

DAYS SINCE FILING: 220

Plaintiff's Motion for Summary Judgment. 30 minutes.

19

Monday, May 20, 2024
TIME: 10:00 AM

23-CVS-003285 PLAINTIFF

ATTORNEY (S)

UNION CO

BARNETT, SARA, ASHLEY
HOLTGREWE, MATTHEW, MICHAEL
MOSS, JOSEPH, W, JR

DEFENDANT

ATTORNEY (S)

GARCIA, GLENDY, MARIELA, CASTILLO

PRO SE

EVENT: MOTION

ISSUES: INJUNCTION
PRELIMINARY INJUNCTION
ENTRY OF DEFAULT

DAYS SINCE FILING: 161

Plaintiff's Motion for Default Judgment. 30 minutes.

=====

JURY CALENDAR

1

23-CVS-001348 PLAINTIFF

ATTORNEY (S)

CAROLINA HOME ACCESSIBILITY LLC

VILLMER, MATTHEW, M
COBB, MEGAN

DEFENDANT

ATTORNEY (S)

CAROLINA HOME ACCESS SOLUTIONS
LLC
CAROLINA HOME ACCESS SOLUTIONS 2
LLC
CATES, ALLEN

VENNUM, ELIZABETH
VENNUM, ELIZABETH
VENNUM, ELIZABETH

EVENT: JURY TRIAL

ISSUES: CONTRACT
FRAUD

UNFAIR TRADE PRACTICE
PUNITIVE DAMAGES
CIVIL CONSPIRACY
UNJUST ENRICHMENT
ORDER TO MEDIATED SETTLEMENT
PROTECTIVE ORDER
AMEND
CONTRACT
PUNITIVE DAMAGES
UNFAIR TRADE PRACTICE
FRAUD
CIVIL CONSPIRACY
UNJUST ENRICHMENT
NEGLIGENT MISREPRESENTAT
PARTIAL SUMJ

DAYS SINCE FILING: 360

Jury Trial ***END***