



of the purported class are illegal and unenforceable. Plaintiffs' complaint includes claims for usury under Chapter 24, N.C. Gen. Stat.; maintenance; champerty, illegal lending under the Consumer Finance Act, N.C. Gen. Stat. § 53-166; unjust enrichment; unfair and deceptive trade practices; rescission/restitution; intentional interference with fiduciary duty and constructive trust. Plaintiff also seeks a declaratory judgment that the Defendant's practices are illegal and the contracts are void and an injunction barring Defendants from seeking to collect amounts advanced by Defendants pursuant to the Agreements. Pleadings have not yet closed, and as of the date of this Motion, the Defendants have not filed an Answer or otherwise responded to the Complaint. This matter involves complex issues including class certification, .

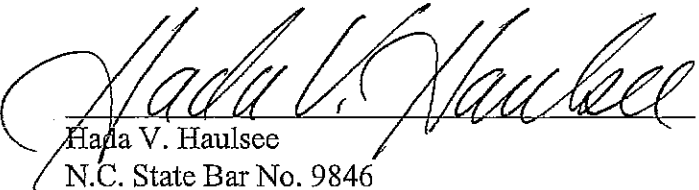
2. Discovery. Plaintiff has served Defendants with initial discovery requests. Defendant's responses are not yet due. Defendants have not yet served Plaintiff with discovery.

3. Efficiency. Coping with these and other issues will require a high level of judicial attention and oversight. Permitting this case to rotate among various superior court judges will waste judicial resources and raise a significant danger of inconsistent rulings. A judge who has not been involved in prior decisions in this case will have difficulty ruling on class certification issues and pretrial motions. This case is likely to consume an undue share of the judicial resources available in Rockingham County Superior Court or any transferee court. Therefore, an assignment of this case to a special judge for purposes of managing the case is appropriate.

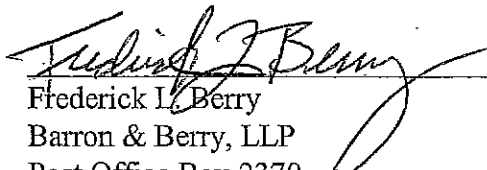
4. Case Assignment. The parties can be assured of an appropriate level of judicial oversight by assignment of the case to Judge McHugh, who has agreed to accept the case. The parties have agreed and hereby stipulate to waiver of venue for hearing pretrial motions as required by Rule 2.1(d) of the General Rules of Practice.

For the foregoing reasons, and for such other reasons as may appear of record, the parties jointly move the Court to recommend to the Chief Justice that this case be designated an Exceptional Case pursuant to Rule 2.1(a) of the General Rules of Practice and assigned to the Honorable Peter M. McHugh , Superior Court Judge.

This 3 day of August, 2005.



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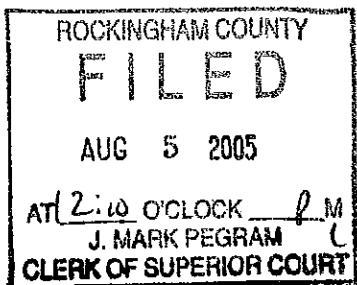
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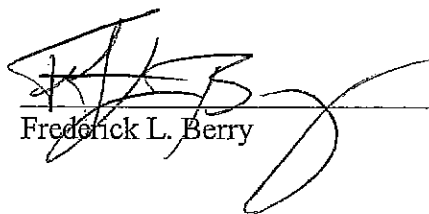
**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on the 3 day of August, 2005, he served a copy of the foregoing Motion on counsel in this matter by placing said copy in a postpaid envelope and by depositing said envelope in the United States mail.

ADDRESSEE:

Hada V. Haulsee  
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\_\_\_\_\_  
Frederick L. Berry

**OFFICE OF THE  
CHIEF JUSTICE OF THE SUPREME COURT  
OF THE  
STATE OF NORTH CAROLINA**

**ORDER**

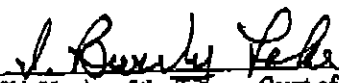
*Nancy E. Odell, individually and on behalf of those similarly situated*  
*v.*  
*Legal Bucks, LLC, a North Carolina Limited Liability Company, James Keith Tart and Lynn Davies Tart*

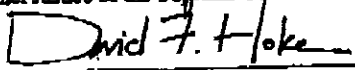
*Rockingham County File Number: 05-CVS-999*

*To the Honorable Edwin G. Wilson, Jr., one of the Senior Regular Resident Judges of the Superior Court of North Carolina, Greeting:*

*As Chief Justice of the Supreme Court of North Carolina, by virtue of authority vested in me by the Constitution of North Carolina, and in accordance with the laws of North Carolina, the Rules of the Supreme Court and, specifically, Rule 2.1 of the General Rules of Practice for the Superior and District Courts, I hereby designate the above-referenced case as exceptional. Therefore, I hereby assign the Honorable Peter M. McHugh, one of the Emergency Judges of the Superior Court of North Carolina, to hold such sessions of court as may be set and to attend to such in-chambers matters and other business as may be necessary and proper for the orderly disposition of the case until otherwise ordered.*

*In Witness Whereof, I have hereunto signed my name as Chief Justice of the Supreme Court of North Carolina, on this day, August 11, 2005.*

  
\_\_\_\_\_  
Chief Justice of the Supreme Court of North Carolina

  
\_\_\_\_\_  
Administrative Assistant to the Chief Justice