

ODELL - Pleading

NORTH CAROLINA
ROCKINGHAM COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
File No. 05 CVS 999

NANCY E. ODELL, Individually and on behalf of those similarly situated,

Plaintiff,

ROCKINGHAM COUNTY	
FILED	
OCT 27 2005	
AT 3:40	O'CLOCK
BY	
CLERK OF SUPERIOR COURT	

v.

MOTION FOR PARTIAL JUDGMENT
ON THE PLEADINGS

LEGAL BUCKS, LLC,
J. KEITH TART, and
LYNN D. TART,

Defendants.

COMES NOW the plaintiff, pursuant to Rule 12(c) of the North Carolina Rules of Civil Procedure, and requests that the Court enter judgment in favor of plaintiff and against defendants with respect to Counts I, II, III, IV, VIII, and XI, on the ground that no material issues of fact exist upon the pleadings with respect to such causes of action and that plaintiff is clearly entitled to judgment on those causes of action as a matter of law.

Respectfully submitted, this the 24th day of October, 2005.

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/s/ Frederick L. Berry *Frederick L. Berry*
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Attorney for plaintiff

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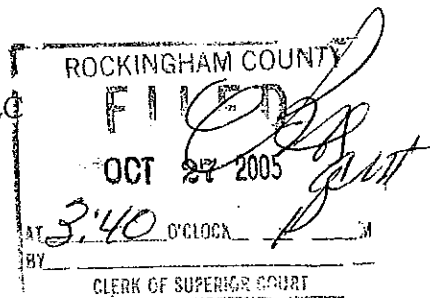
/s/ John F. Bloss *John F. Bloss jmb*
John F. Bloss

Attorney for plaintiff

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on defendants by e-mail to attorney for defendants as follows:

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This the 24th day of October, 2005.

/s/ John F. Bloss *John F. Bloss*
Attorney for plaintiff