

AMENDED MEMORANDUM OF RULING

DATE: April 23, 2024

TO: Craig Justus
Jennifer Ashton
Robin Tatum

**Wake County
23 CVS 004711-910**

**GEORGE C. VENTERS and wife
NICKYE Y. VENTERS; GREG
LINCOLN PIERCE and wife AMY J.
PIERCE; JOHN SOLIC and wife
SAMANTHA SOLIC;**

Plaintiffs,

v.

**CITY OF RALEIGH, a body politic
and corporate; 908 WILLIAMSON,
LLC, a North Carolina limited liability company; RDU
CONSULTING, PLLC, a North
Carolina limited liability company;
And CONCEPT 8, LLC, A North
Carolina limited liability company;**

Defendants.

Re: Ruling allowing 908 Williamson, LLC's, RDU Consulting, PLLC's, and Concept 8's, LLC (collectively the "908 Williamson Defendants") Motion for Attorney's Fees in the amount of \$28,333.00 pursuant to N.C. Gen. Stat. § 6-21.5. Plaintiffs' argument that Rule 6 of the N.C. Rules of Civil Procedure precludes the 908 Williamson Defendants' most recent submission of an affidavit for attorney's fees is overruled. Plaintiff's Motion to Strike and for more time to respond is denied. Plaintiff's request for a stay of execution of this award is allowed upon posting of bond in the full amount.

The Court has now read and considered the court file, caselaw, memorandums of law, and arguments of counsel and therefore enters the following:

1. The 908 Williamson Defendants' Motion for Attorney's Fees is just, reasonable and allowed in the amount of \$28,333.00 pursuant to N.C. Gen. Stat. § 6-21.5.
2. Plaintiff's Motion to Strike and for more time to respond is denied.

3. A Stay of Execution with a posting of a bond with the Wake County Clerk's Office in the full amount of the award is granted pending the conclusion of final appeals or final disposition.
4. The 908 Williamson Defendants shall draft a formal order and submit it to the Court after opposing counsel has an opportunity to review as to form.

Patrick T. Nadolski
Resident Superior Court Judge, Judicial District 28