

STATE OF NORTH CAROLINA
HAYWOOD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO: 18 CVS 116

FILED
2018 APR 27 AM 9:54

HAYWOOD COUNTY, C.S.C.

DEBORAH KING,

Plaintiff,

v.

HAYWOOD REPUBLICAN ALLIANCE,
A Non-Incorporated Political Action
Committee, and RICHARD OWEN WEST,
individually and as Treasurer of HAYWOOD
REPUBLICAN ALLIANCE, JEREMY DAVIS,
individually, and as Chairman of the HAYWOOD
REPUBLICAN ALLIANCE and EDDIE CABE,
individually and as Member of the HAYWOOD
REPUBLICAN ALLIANCE, and JOHN DOE
1 THROUGH 6

Defendant(s),


NOTICE OF HEARING
OF ALL DEFENDANT CABE'S
MOTIONS AND MOTION FOR
INJUNCTIVE RELIEF

PLEASE TAKE NOTICE that the undersigned will bring the all of Defendant Cabe's
Motions on for hearing before the court on the 4th day of June 2018, at 9:30 a.m., or as soon
thereafter as the court may hear same.

Plaintiff further moves the court to hear Plaintiff's claim for injunctive relief against the
named defendants at this hearing.

This the 26th day of April, 2018.

McLEAN LAW FIRM, P.A.



Russell L. McLean, III
Post Office Box 4
Waynesville, NC 28786
Tel: (828) 452-2896
Fax: (828) 356-6517

CERTIFICATE OF SERVICE

FILED

2018 APR 27 AM 9:54

I hereby certify that I have this day served a copy of the foregoing Notice and Motion by placing a copy of same in the U.S. mail, properly addressed and postage prepaid upon the following:

POST COUNTY: G.S.C.

RY _____


Arnold E. Cabe
13 Haven Place
Canton, NC 28716

C. Amanda Martin
Attorney for Defendants
1101 Haynes Street, Suite 100
Raleigh, NC 27604

Haywood Republican Alliance
Richard Owen West
561 Westwood Circle
Waynesville, NC 28786

Jeremy Davis
127 Rebel Ridge Road
Canton, NC 28716

This the 26th day of April, 2018.



Russell L. McLean, III
P.O. Box 4
Waynesville, NC 28786
Phone: (828) 452-2896
Fax: (828) 356-6517

NORTH CAROLINA
HAYWOOD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 18-CVS-116

DEBORAH KING,

Plaintiff,

vs.

HAYWOOD REPUBLICAN
ALLIANCE, a Non-Incorporated
Political Action Committee by and
through, RICHARD OWEN WEST,
Individually and as Treasurer of the
HAYWOOD REPUBLICAN
ALLIANCE, JEREMY DAVIS,
Individually and as Member of the
HAYWOOD REPUBLICAN
ALLIANCE, and EDDIE CABE,
Individually and as Member of the
HAYWOOD REPUBLICAN
ALLIANCE, and JOHN DOE 1
THROUGH 6,

Defendants.

CERTIFICATE OF SERVICE

FILED
2019 APR 21 PM 2:36
HAYWOOD COUNTY, C.S.C.
PT

The undersigned hereby certifies that the attached Motion to Dismiss and Memorandum in Support of Motion to Dismiss was served by depositing a true copy thereof with the United States Postal Service, first class postage prepaid, addressed to:

Russell L. McLean, III
P.O. Box 4
Waynesville, NC 28786

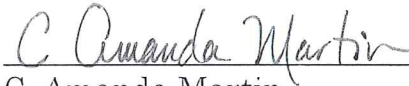
Arnold E. Cabe
13 Haven Place
Canton, NC 28716

Haywood Republican Alliance
Richard Owen West
561 Westwood Circle

Waynesville, NC 28786

This the 17th day of April, 2018.

STEVENS MARTIN VAUGHN & TADYCH, LLP



C. Amanda Martin

N.C. Bar No. 21186

Attorneys for Defendants

1101 Haynes St., Suite 100

Raleigh, North Carolina 27604

Telephone: (919) 582-2300

Facsimile: (866) 593-7695

NORTH CAROLINA
HAYWOOD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 18-CVS-116

FILED
MAR 12 AM 8:50
HAYWOOD COUNTY, C.S.C.

DEBORAH KING,

Plaintiff,

vs.

HAYWOOD REPUBLICAN
ALLIANCE, a Non-Incorporated
Political Action Committee by and
through, RICHARD OWEN WEST,
Individually and as Treasurer of the
HAYWOOD REPUBLICAN
ALLIANCE, JEREMY DAVIS,
Individually and as Member of the
HAYWOOD REPUBLICAN
ALLIANCE, and EDDIE CABE,
Individually and as Member of the
HAYWOOD REPUBLICAN
ALLIANCE, and JOHN DOE 1
THROUGH 6,

Defendants.

MOTION TO DISMISS

NOW COME Defendants Richard Owen West and Jeremy Davis, by and through undersigned counsel and pursuant to Rules 8 and 12(b)(6) of the North Carolina Rules of Civil Procedure, and move the Court to dismiss the Complaint filed by Plaintiff in its entirety, for failure to state a claim upon which relief can be granted.

The alleged facts do not state a claim for misappropriation or intentional infliction of emotional distress. Additionally, the complaint fails to state with particularity any specific actions by defendants West and Davis, and pursuant to

G.S. § 59B-7, neither defendant is vicariously liable for any alleged liability of the defendant Haywood Republican Alliance or any of its members.

WHEREFORE, Defendants West and Davis request (a) that the Court dismiss the Complaint filed by Plaintiff in its entirety for failure to state a claim upon which relief can be granted, (b) that the Court find a complete absence of justiciable issues raised by the complaint and (c) all other proper relief.

Respectfully submitted this the 8th day of March, 2018.

STEVENS MARTIN VAUGHN & TADYCH, LLP

C. Amanda Martin

C. Amanda Martin
N.C. Bar No. 21186
Attorneys for Defendants
1101 Haynes St., Suite 100
Raleigh, North Carolina 27604
Telephone: (919) 582-2300
Facsimile: (866) 593-7695

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing upon plaintiff by depositing a copy with the United States Postal Service, first-class postage prepaid, addressed to:

Russell L. McLean, III
P.O. Box 4
Waynesville, NC 28786

This the 8th day of March, 2018.

C. Amanda Martin

C. Amanda Martin