STATE OF NORTH CAL	ROLINA			File No.	23 CvD 845	-
HAYWOOD	_ County			In	The General Court C District Court Divis	
Name And Address Of Plaintiff 1 TERRY RAMEY  Name And Address Of Plaintiff 2		Z023 SEP - HAYWOOD	000. <b>@fVI</b>	L ACTION	IESTIC COVER SHE	
		BY			SUBSEQUENT I	
VERSUS	3		Jury Demande			Yes
Name Of Defendant 1 CORY VAILLANCOURT				of Attorney Or Party, i e of address) Jr.	If Not Represented (complete	for initial
Summons Submitted Yes No			Telephone No.		Cellular Telephone No.	
Name Of Defendant 2			828-48 NC Attorney Bar No. 3066	8-2147 Attorney E-Mail Add		
			X Initial Appe	arance in Case	Change	of Address
Summons Submitted Yes No			Name Of Firm	7		
Counsel for All Plaintiffs X All Defendants C	Only (List party(ies)	represented)	FAX No.	828-4	188-8775	
TYPE OF PLE	ADING			CLAIMS F	OR RELIEF	
(check all that apply)			(check all that	apply)	Total Control of the	
Amended Answer/Reply (AMND-Re	esponse)		☐ Alimony (AL	IM)		
Amended Complaint (AMND)			Annulment (	ANUL)		
Answer/Reply (ANSW-Response)			☐ Child Suppo	rt (CSUP)		
Complaint (COMP)			Custody (CL	127		
Confession Of Judgment (CNFJ)			Divorce (DIV			
Contempt (CNTP)				n Bed And Board		
Continue (CNTN)			Domestic Vic			
Compel (CMPL)				stribution (EQUE	))	
Counterclaim vs. (CTCL) Assess C		sts		erage (MEDC)		
Extend Time For An Answer (MEO	T-Response)		Paternity (PA			
Modification Of Alimony (MALI)				Of Personal Prop	5 1 5	
Modification Of Custody (MCUS)				tion Support (PS		
Modification Of Support in non-IV-D	cases (MSUP	)			ssistance (RPPA)	
Modification Of Visitation (MVIS)			☐ Visitation (VI			
Rule 12 Motion In Lieu Of Answer (	MDLA)		Other: (speci Objection To Sub	ify and list separ peona	ately)	
Sanctions (SANC)			,	* 75 50		
Show Cause (SHOW)						
Transfer (TRFR)	VCMD					
☐ Vacate/Modify Judgment or Order (	vCIVID)					
☐ Other (OTHR):						
Date			Signature Of Attorney	Party		

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include a Domestic (AOC-CV-750), Motions (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

AOC-CV-750, Rev. 1/14

STATE OF NORTH CARO	LINAS IN THE GENERAL COURT OF JUSTICE
COUNTY OF HAYWOOD	2023 SEP -7 A 11: 5 DISTRICT COURT DIVISION 23 CvD 845
	HAYWOOD CO., C.S.C.
TERRY RAMEY,	)
Plaintiff	BY.
VS.	OBJECTION TO SUBPOENA
CORY VAILLANCOURT,	

NOW COMES THE DEFENDANT, objecting to the subpoena served on the Defendant in this matter, and alleges and says:

- 1. Plaintiff caused a subpoena to be issued to the Defendant requiring the Defendant to produce a certain video and "Any phone communications between 11-2022 to current from or to any Haywood County Commissioners, including text or email."
- 2. The Defendant has produced the requested video by texting a link to the same to Plaintiff's phone.
- 3. The Defendant objects to the production of the remainder of the information requested for the reason that it is privileged or other protected matter and no exception or waiver applies to the privilege or protection. Moreover, the subpoena of this other information is otherwise unreasonable or oppressive in that it could not lead to evidence relevant to this case.
  - 4. The subpoena is procedurally defective.

Defendant.

Respectfully submitted this the \_\_\_\_ day of September, 2023.

Fred H. Moody, Jr.

Attorney for Defendant

PO Box 670

Bryson City, NC 28713

828-488-2147

Bar # 3066

## 

### 2023 SEP -7 A 11: 57

# CERTIFICATE OF SERVICE HAY WOOD CO., C.S.C.

The undersigned certifies that the foregoing Objection To Subpoena was served upon the Plaintiff in this action by depositing a copy of the same, enclosed in a first class, postpaid wrapper properly addressed to Terry Ramey, 72 Dakota Drive, Clyde. NC 28721, in a post office or official depository under the exclusive care and custody of the United States Postal Service, on this 4 day of 5 of 1, 2023.

This the \_\_\_\_\_ day of September, 2023.

Fred H. Moody, Jr.

Attorney for Defendant

PO Box 670

Bryson City, NC 28713

828-488-2147

STATE OF NORTH CAROLINA	File No. 23 CvD 845
HAYWOOD County 200 1 1	In The General Court Of Justice
County	District Court Division
Name And Address Of Plaintiff 1 TERRY RAMEY	37
2023 SEP -5 P	2: 48 DOMESTIC
MANUVOORGE	DOMESTIC
Name And Address Of Plaintiff 2	.S.C. CIVIL ACTION COVER SHEET
	☐ INITIAL FILING ☒ SUBSEQUENT FILING
BY.	Control of the Contro
	Rule 5(b), Rules of Practice For Superior and District Courts
VERSUS	Jury Demanded In Pleading? ☒ No ☐ Yes
Name Of Defendant 1	Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)
CORY VAILLANCOURT	Fred H. Moody, Jr.
	PO Box 670
	Bryson City, NC 28713
Summons Submitted Yes No	
Name Of Defendant 2	Telephone No. Cellular Telephone No.
	NC Attorney Bar No.   Attorney E-Mail Address
	3066
Summons Submitted Yes No	Name Of Firm
Counsel for All Plaintiffs X All Defendants Only (List party(ies) represented)	FAVAL
All Plaintiffs X All Defendants Only (List party(ies) represented)	FAX No. 828-488-8775
TYPE OF PLEADING	CLAIMS FOR RELIEF
(check all that apply)	(check all that apply)
Amended Answer/Reply (AMND-Response)	Alimony (ALIM)
Amended Complaint (AMND)	Annulment (ANUL)
X Answer/Reply (ANSW-Response)	Child Support (CSUP)
Complaint (COMP)	Custody (CUST)
Confession Of Judgment (CNFJ)	☐ Divorce (DIVR)
Contempt (CNTP)	Divorce From Bed And Board (DIVB)
Continue (CNTN)	Domestic Violence (DOME)
Compel (CMPL)	☐ Equitable Distribution (EQUD)
Counterclaim vs. (CTCL) Assess Counterclaim Costs	Medical Coverage (MEDC)
<ul><li>☐ Extend Time For An Answer (MEOT-Response)</li><li>☐ Modification Of Alimony (MALI)</li></ul>	Paternity (PATR)
☐ Modification Of Custody (MCUS)	Possession Of Personal Property (POPP)
☐ Modification Of Custody (MCUS) ☐ Modification Of Support in non-IV-D cases (MSUP)	Post Separation Support (PSSU)
☐ Modification Of Visitation (MVIS)	<ul><li>☐ Reimbursement For Public Assistance (RPPA)</li><li>☐ Visitation (VIST)</li></ul>
Rule 12 Motion In Lieu Of Answer (MDLA)	✓ Visitation (VIST)  ✓ Other: (specify and list separately)
Sanctions (SANC)	50-C
☐ Show Cause (SHOW)	
☐ Transfer (TRFR)	
☐ Vacate/Modify Judgment or Order (VCMD)	
Other (OTHR):	
*	
Date A 1 I	Signature Of Attorney/Party
4/1/2023	Sudy ( May
NOTE: All filings in civil actions shall include as the first page of the filing a cover she	et summarizing the critical elements of the filing in a format prescribed by the

IOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include a Domestic (AOC-CV-750), Motions (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

AOC-CV-750, Rev. 1/14

STATE OF NORTH CAROL	LINA IN THE GENERAL COURT OF JUSTICE
COUNTY OF HAYWOOD	2023 SEP -5 P 2: 4 DISTRICT COURT DIVISION
	MAYWOOD CO., C.S.C. 23 CvD 875
TERRY RAMEY,	)
Plaintiff	)
VS.	) MOTION TO DISMISS AND ANSWER
CORY VAILLANCOURT,	)
Defendant.	)

#### **MOTION TO DISMISS**

Defendant moves the court to dismiss the complaint of the Plaintiff pursuant to Rule 12 (b)(6) of the Rules of Civil Procedure for failure of the same to state a claim upon which relief can be granted.

#### **ANSWER**

Subject to the foregoing motion, Defendant answers the allegations of th complaint as follows:

- 1. Denied.
- 2. Denied.
- 3. In answer to the allegations of paragraph 3 of the complaint, this answering defendant would admit that he is over 16 years of age. Except as admitted the allegations of paragraph 3 of the complaint are denied.
  - 4. No allegation.
  - 5. Denied.

Having answered the complaint, the defendant prays the court as follows:

- 1. That the complaint be dismissed.
- 2. For the costs of this action including a reasonable attorney fee for defendant's attorney.

4. For such other and further relief as to the court seems just and proper.

Fred H. Moody, Jr.

Attorney for Defendant

PO Box 670

Bryson City, NC 28713

828-488-2147

Bar #3066

17 SEP -5 P 12: 49
11/47 11 0 0 D 0 0 ... 0 . S. C.

#### CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Motion and Answer was served upon the Plaintiff in this action by depositing a copy of the same, enclosed in a first class, postpaid wrapper properly addressed to Terry Ramey, 72 Dakota Drive, Clyde. NC 28721, in a post office or official depository under the exclusive care and custody of the United States Postal Service, on this \_\_\_\_\_ day of \_\_\_\_\_\_, 2023.

This the \_\_\_\_\_ day of September, 2023.

Fred H. Moody, Jr.

Attorney for Defendant

PO Box 670

Bryson City, NC 28713

828-488-2147

STATE OF NORTH CAROLINA	22 6111 845
Haywood County	In The General Court Of Justice
	District Superior Court Division
72 DAKOTADR.	Additional File Numbers
C 1902, N.C. 2472/10 29 A 10	51
69 Shirdash DA	S.C. SUBPOENA
PRODUCE SGIE VALLEY N.C. 28751	G.S. 1A-1, Rule 45; 8-59, -61, -63; 15A-80
State/Plaintiff Defendant NOTE TO PARTIES NOT REP.	PRESENTED BY COUNSEL: Subpoenas may be produced at your request, but m of the Clerk of Superior Court, or by a magistrate or judge.
Cory Vai (lan court	Atternate Address RECEIVED
69 Shirdarh DR.	
Maggie Valley, N.C. 287	AUG 2 9 2023
Telephone No.	Telephone No.
OU ARE COMMANDED TO: (check all that apply)	
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