

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
18-CVS-22971

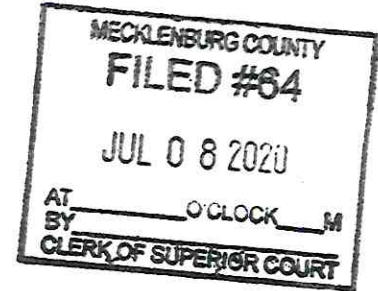
JAMES G. VERDONE,

Plaintiff,

vs.

GEORGE F. VERDONE, JR., individually and in his capacity as co-executor of the Estate of Emily Verdone, TUMP, LLC, VERDONE LIMITED PARTNERSHIP, CATHERINE E. VERDONE, individually and in her capacity as co-executor of the Estate of Emily Verdone, ELSYA V. STOCKIN, individually and in her capacity as co-executor of the Estate of Emily Verdone, and JAMES G. VERDONE, in his capacity as co-executor of the Estate of Emily Verdone,

Defendants.



**ORDER GRANTING PLAINTIFF'S
PARTIAL MOTION FOR SUMMARY
JUDGMENT AND DENYING
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

THIS MATTER came before the Court on Plaintiff James G. Verdone's Motion for Partial Summary Judgment ("Plaintiff's Motion for Partial Summary Judgment") and Defendants George F. Verdone, Jr., individually and in his capacity as co-executor of the Estate of Emily Verdone, Tump, LLC, Verdone Limited Partnership, and Catherine E Verdone, Individually and in her capacity as co-executor of the Estate of Emily Verdone's Motion for Summary Judgment ("Defendants Motion for Summary Judgment"). The Court heard oral argument on Tuesday, June 9, 2020.

The Court, having reviewed and considered the Motions, affidavits, exhibits, the argument of counsel, and applicable law, finds Plaintiff's Motion for Partial Summary Judgment should be

GRANTED and Defendants' Motion for Summary Judgment should be **DENIED**. It is therefore **ORDERED**:

1. Plaintiff's Motion for Partial Summary Judgment as to Count 1 of Plaintiff's First Amended Complaint is **GRANTED**. It is therefore **ORDERED AND DECLARED** that the Verdone Limited Partnership was dissolved as of April 1, 2014 in accordance with Section 22.1(c) of the Agreement of Limited Partnership of Verdone Limited Partnership by the resignation of Emily McCoy Verdone as General Partner. Accordingly, following the entry of this Order, the Verdone Limited Partnership is to be wound-up in a reasonable time and subsequently terminated in accordance with Sections 22 and 23 of the Agreement of Limited Partnership of Verdone Limited Partnership, attached as Ex. A to Plaintiff's First Amended Complaint, and Delaware law.
2. Defendants' Motion for Summary Judgment as to all Counts of Plaintiff's First Amended Complaint is **DENIED**.

SO ORDERED this the 6TH JULY day of ~~3~~ 2020, at 11 am/pm.



Hon. George Bell