North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

This calendar is available at: https://appellate.nccourts.org/calendar.php?court=2

All oral arguments on this calendar will be heard via Webex, subject to change based on courtroom safety. Cases will be called on the days calendared in the order listed. The Court, however, may reorder the schedule in the event it grants a request for an oral argument to occur by Webex.

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COURT CALENDAR BY PANEL

Tuesday, 1 April 2008

PANEL NO. 2
HONORABLE JAMES A. WYNN, JR.
HONORABLE WANDA G. BRYANT
HONORABLE BARBARA JACKSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 1ST OF APRIL 2008 AT 9:30 a. m.**

Heinitsh v Wachovia Bank	07-1198	Henderson

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 1ST OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Neal	07-1145	Guilford
State v Branson	07-1216	Rockingham
State v Calhoun	07-1223	Buncombe
State v Bryson	07-1230	Buncombe
State v Rios	07-1232	Mecklenburg
State v McRae	07-1271	Robeson
Cockerham-Ellerbee v Town of Jonesville	07-1161	Yadkin
In the Matter of: K.W.	07-1472	Robeson

Sent Date: 28 February 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Wednesday, 2 April 2008

PANEL NO. 3
HONORABLE LINDA M. MCGEE
HONORABLE JOHN M. TYSON
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF APRIL 2008 AT 9:30 a.m.**

Turner v The Hammocks Beach Corp.	07-1287	Wake
Michael, et al v Huffman Oil Co., et al	07-1293	Guilford
Laurel Valley Watch v Mountain Enter.	07-1336	Madison

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Epps	07-1234	Hoke
State v Ibarra	07-1236	Davidson
State v Smith	07-1243	Hertford
State v Wall	07-1245	Alamance
State v Trucell	07-1249	Granville
State v McGrady	07-1258	Cherokee

Sent Date: 28 February 2008

North Carolina Court of Appeals

Court of Appeals Building
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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Wednesday, 2 April 2008

PANEL NO. 4
HONORABLE ROBERT C. HUNTER
HONORABLE RICK ELMORE
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF APRIL 2008 AT 9:30 a.m.**

State v Soles	07-1076	Mecklenburg
Maxwell Schuman & Company v Edwards	07-996	Mecklenburg
McGuire v Riedle	07-1276	Gaston

NOTE: Oral argument will be held at the following location:

Charlotte School of Law

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 2ND OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Corbett	07-856	Alamance
State v Curry	07-1064	Cleveland
State v Hawkins	07-1098	Guilford
State v Williams	07-1117	Gaston
State v Worrell	07-1120	Wayne
Meares v Dana Corporation	07-1401	N.C. Industrial Commission

Sent Date: 28 February 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Thursday, 3 April 2008

PANEL NO. 5
HONORABLE DOUGLAS MCCULLOUGH
HONORABLE SANFORD STEELMAN
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **THURSDAY, 3RD OF APRIL 2008 AT 9:30 a.m.**

Carroll v City of Kings Mountain, et al	07-1330	Cleveland
Akins v Mission St. Joseph's Health	07-1363	Buncombe

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 3RD OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v McAllister	07-1375	New Hanover
State v Hampton	07-1270	Forsyth
State v Robinson	07-1274	Duplin
State v Bernard	07-1289	Wake
State v Wright	07-1300	Guilford
State v Chappelle	07-1312	Pasquotank
Fink v Goodyear Tire & Rubber Company	07-1371	N.C. Industrial Commission
In The Matter Of: S.M.	07-1373	Nash

Sent Date: 28 February 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Monday, 14 April 2008

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE WANDA G. BRYANT
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 14TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Miles	07-922	Cumberland
State v Jackson	07-933	Caldwell
State v Brooks	07-940	Alamance
State v Patterson	07-951	Transylvania
State v Zinkand	07-980	Macon
State v Bailey	07-1150	Mecklenburg
Thurman v NC Div. of Motor Vehicles	07-668	Scotland
Jackson v Jackson	07-1182	Johnston
Taylor v Taylor Graphics, et al	07-1220	N.C. Industrial Commission

Sent Date: 13 March 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

Supplemental Calendar

Monday, 14 April 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **14 APRIL 2008** BY PANEL TO BE DESIGNATED BY THE CHIEF JUDGE. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

In The Matter Of: K.B. and K.B.	07-1368	Orange
In The Matter Of: K.T. and C.T.	07-1547	Buncombe
In The Matter Of: B.K.	07-1577	Forsyth
In Re: B.W.	07-1579	Catawba
In the Matter of: A.H., L.L., B.L.	08-18	Transylvania
In The Matter Of: C.M.B.	08-71	Alamance

Sent Date: 20 March 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Tuesday, 15 April 2008

PANEL NO. 2
HONORABLE JAMES A. WYNN, JR.
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 15TH OF APRIL 2008 AT 9:30 a.m.**

Reaves v Industrial Pump Service	07-1244	N.C. Industrial Commission

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 15TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Beasley	07-1157	Forsyth
State v Moore	07-1184	Mecklenburg
State v Watkins	07-1213	Guilford
State v Banks	07-1226	Cleveland
State v McCray	07-1255	Nash
State v Cook	07-1262	Alamance
Anderson v Crouch	07-1319	New Hanover

Sent Date: 13 March 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Wednesday, 16 April 2008

PANEL NO. 3
HONORABLE LINDA M. MCGEE
HONORABLE RICK ELMORE
HONORABLE BARBARA JACKSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF APRIL 2008 AT 9:30 a.m.**

State v Canady	07-1278	Wake
State v Jones	07-1308	Robeson
Gemini Drilling v National Fire Ins.	07-1266	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Clark	07-1267	Wake
State v Medlin	07-1328	Wake
State v Davis	07-1329	Henderson
State v Bohler	07-1331	Moore
Gregory v W.A. Brown & Sons	07-1265	N.C. Industrial Commission
AllState Insurance Company v Sherrill	07-1317	Mecklenburg

Sent Date: 13 March 2008

North Carolina Court of Appeals

Court of Appeals Building
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Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Wednesday, 16 April 2008

PANEL NO. 4
HONORABLE ROBERT C. HUNTER
HONORABLE SANFORD STEELMAN
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF APRIL 2008 AT 1:00 p.m.**

Wirth v Wirth	07-1393	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 16TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Bryant	07-1337	Forsyth
State v Hall	07-1370	Alexander
State v Tyson	07-1376	Pitt
State v Applewhite	07-1399	Wayne
State v Sexton	07-1438	Buncombe
Banana Wind Prop. v K&T Real Estate	07-1360	Forsyth
Frost v Dominguez	07-1429	Cumberland

Sent Date: 13 March 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Thursday, 17 April 2008

PANEL NO. 5
HONORABLE DOUGLAS MCCULLOUGH
HONORABLE JOHN M. TYSON
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **THURSDAY, 17TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

Archie v Lipsitz	07-1422	Rowan
State v Garris	07-1388	Davidson
State v Harrington	07-1442	Alexander
State v Miles	07-1444	Alamance
State v Ash	07-1456	Brunswick
State v Williams	07-1464	Forsyth
State v Anderson	07-1473	Wake
Moore v Nationwide Mutual Insurance	07-1397	Duplin
State Farm Mutual v Gaylor	07-1421	Rowan

Sent Date: 13 March 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

Supplemental Calendar

Monday, 21 April 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **21 APRIL 2008** BY PANEL TO BE DESIGNATED BY THE CHIEF JUDGE. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Wilson	07-974	Forsyth
State v Nooe	07-1116	Montgomery
State v McSweeney	07-1139	Forsyth
State v McDuffie	07-1177	Moore
State v Mills	07-1197	Forsyth
MacKenzie v Lewis	07-1211	Durham
State v Servantes	07-1238	Buncombe
In The Matter Of: C.M.W.	07-1315	Iredell
Crawford v Watlington	07-1352	Wake
State v Barnes	07-1387	Lenoir

Sent Date: 24 March 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

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COURT CALENDAR BY PANEL

Monday, 28 April 2008

PANEL NO. 1
HONORABLE JOHN C. MARTIN
HONORABLE WANDA G. BRYANT
HONORABLE JOHN ARROWOOD

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **MONDAY, 28TH OF APRIL 2008 AT 1:00 p.m.**

State v McBennett	07-1282	Haywood
Kelly v N.C. Dept. of Environment	07-881	Wake
Sawyer v Market America, Inc.	07-1257	Guilford

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 28TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Fleming	07-1299	Wayne
State v Williams	07-1304	Duplin
In The Matter Of: K.D.A.	07-1173	Rowan
Hogan v Terminal Trucking Company, Inc.	07-1273	N.C. Industrial Commission
New Hanover Child Support v Rains	07-1286	New Hanover

Sent Date: 27 March 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Monday, 28 April 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 28TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Perry	07-1527	Chatham

Sent Date: 26 March 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Monday, 28 April 2008

PANEL NO. 5
HONORABLE DOUGLAS MCCULLOUGH
HONORABLE JOHN M. TYSON
HONORABLE DONNA STROUD

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **MONDAY, 28TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

Broadbent v Allison	07-1342	Transylvania

Sent Date: 27 March 2008

North Carolina Court of Appeals

Court of Appeals Building
One West Morgan Street
Raleigh, North Carolina 27601

Supplemental Calendar

Monday, 28 April 2008

PANEL NO. 0

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENT DURING THE WEEK OF **28 APRIL 2008** BY PANEL TO BE DESIGNATED BY THE CHIEF JUDGE. COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Timmons	07-1196	Wake
State v Green	07-1256	Henderson
Potchak v Tatum	07-1303	Durham
In The Matter Of: D.K.B.	07-1359	Mecklenburg
State v Yancey	07-1406	Forsyth
Ward v Jett Properties, LLC	07-1448	Forsyth
State v Williams	07-1462	Lincoln
State v Cross	07-1461	Cumberland

Sent Date: 26 March 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Tuesday, 29 April 2008

PANEL NO. 2
HONORABLE JAMES A. WYNN, JR.
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **TUESDAY, 29TH OF APRIL 2008 AT 9:30 a.m.**

Carroll v Ferro	07-1417	Mecklenburg

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Robinson	07-1316	Mecklenburg
State v Clark	07-1318	Union
State v McArthur	07-1348	Randolph
Phoenix Ltd Partnership v Simpson	07-1333	Wake
Austin Hatcher Realty, Inc. v Arnold	07-1377	Brunswick
Johnson v McNeil	07-1383	Rockingham
Moore v Rhodes	07-1394	Columbus
Erickson v Siegler	07-1420	N.C. Industrial Commission

Sent Date: 27 March 2008

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COURT CALENDAR BY PANEL

Tuesday, 29 April 2008

PANEL NO. 2
HONORABLE JAMES A. WYNN, JR.
HONORABLE ANN MARIE CALABRIA
HONORABLE MARTHA A. GEER

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **TUESDAY, 29TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

Waldron v Batten	07-1225	Columbus

Sent Date: 13 March 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 30 April 2008

PANEL NO. 3
HONORABLE LINDA M. MCGEE
HONORABLE RICK ELMORE
HONORABLE BARBARA JACKSON

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF APRIL 2008 AT 9:30 a.m.**

State v Green and Gayton	07-1379	Wake

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Boston and Satterwhite	07-1364	Wake
State v Reed	07-1382	New Hanover
In The Matter Of: R.D.L.	07-1427	Buncombe
Whisnant v Teachers' And State, et al	07-1433	Wake
Cowell v Gaston County	07-1434	Gaston
Acton v Lowes	07-1436	N.C. Industrial Commission
Scarboro v Emery WorldWide Freight	07-1437	N.C. Industrial Commission
Carroll v Randolph County	07-1446	Randolph

Sent Date: 27 March 2008

North Carolina Court of Appeals

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COURT CALENDAR BY PANEL

Wednesday, 30 April 2008

PANEL NO. 4
HONORABLE ROBERT C. HUNTER
HONORABLE SANFORD STEELMAN
HONORABLE LINDA STEPHENS

THE FOLLOWING CASE(S) ARE SCHEDULED FOR ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF APRIL 2008 AT 1:00 p.m.**

Estate of McKendall v Webster	07-1451	Chatham
Total Renal Care v NC Dept. of Health	07-1479	N.C. Dept. of Health & Human Svcs

THE FOLLOWING CASE(S) WILL BE HEARD WITHOUT ORAL ARGUMENTS ON **WEDNESDAY, 30TH OF APRIL 2008.** COUNSEL ARE HEREBY NOTIFIED NOT TO APPEAR FOR ORAL ARGUMENTS PURSUANT TO 30(f) OF THE NORTH CAROLINA RULES OF APPELLATE PROCEDURE.

State v Martin	07-1392	Person
State v Carter	07-1415	Guilford
State v Watson	07-1490	Beaufort
McHenry v International Paper Company	07-1449	N.C. Industrial Commission
Edwards v Holden	07-1454	Brunswick
Tellado v NC Dep't of Transportation	07-1457	Catawba
Smith v Mauldin	07-1482	Stanly

Sent Date: 27 March 2008