

SUPREME COURT OF NORTH CAROLINA**Docket Sheet****Intersal, Inc. v Hamilton, et al.****Case Number:** 115PA18**As of:** 09/17/2021**Case Closed:** Yes**Close Date:** 11-21-2019**Case Type:** Civil (Civil_othr)

INTERSAL, INC.

v

SUSI H. HAMILTON, Secretary, North Carolina Department of Natural and Cultural Resources, in her official capacity, NORTH CAROLINA DEPARTMENT OF NATURAL AND CULTURAL RESOURCES, STATE OF NORTH CAROLINA, and FRIENDS OF QUEEN ANNE'S REVENGE, a Non-Profit Corporation

Docket Date: 04-09-2018**Acquired Date:** 04-09-2018**Bond Collected:** Yes**Docket Fee:** No**Pauper:** No**Rule 16b:** No**History****Venue:** Wake (10)**Previous Venue:** N.C. Business Court (200)**Lower Court Number(s)**

Location: N.C. Business Court (200)

Judge: Gregory P. McGuire

Case #: 15CVS9995

Location: Wake (10)

Judge:

Case #: 15-CvS-9995 15CVS9995

Tracking/Argue

Argue Date: 05-15-2019 #

Opinion

Opinion Date: 11-01-2019 Cert Date: 11-21-2019

Author: Honorable Robin Hudson

Decision: Affirmed in Part, Reversed in Part and Remanded

Opinion Notes: Morgan, J. Concurring in Part; Dissenting in Part Ervin, J. joins in this separate opinion

Opinion Pages: 42 Opinion Cost: \$ 8.40

Cite:

Slip Opinion: <https://appellate.nccourts.org/opinions/?c=1&pdf=38572>**Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
----------	------------	-----------------	-------------	-----------	-------------	------------	--------	-------------

(1) PWC-B	04-09-2018					05-01-2018		
(2) RECORD	08-17-2018					08-23-2018		
(3) M-EXT-BR	09-19-2018						Allowed	09-20-2018
(4) M-DSSAPP	09-27-2018							
(5) M-EXT-RS	10-01-2018						Allowed	10-02-2018
(6) M-DSSAPP	10-04-2018							
(7) M-EXT-RS	10-09-2018						Allowed	10-12-2018
(8) APPELLANT BRIEF	10-24-2018					10-25-2018		
(9) M-GEN	11-05-2018							
(10) M-EXT-BR	11-05-2018							
(11) M-EXT-BR	12-13-2018						Allowed	12-14-2018
(12) M-EXT-BR	01-23-2019						Allowed	01-23-2019
(13) APPELLEE BRIEF	01-25-2019					01-28-2019		
(14) EXHIBIT	01-29-2019							
(15) M-EXT-BR	02-07-2019						Allowed	02-08-2019
(16) APPELLEE BRIEF	02-15-2019					03-18-2019		
(17) REPLY	02-25-2019					02-27-2019		
(18) REPLY	03-04-2019					03-06-2019		

1 - PWC-B

Filed: 04-09-2018 @ 18:34:16

FOR: Plaintiff-Appellant Intersal, Inc.

BY : Mr. David H. Harris, Jr.

LINCK HARRIS LAW GROUP, PLLC

RESPONSE TO PWC-B

Filed: 04-23-2018

BY : Mr. Brian Rabinovitz

N.C. DEPARTMENT OF JUSTICE

2 - RECORD

Filed: 08-17-2018 @ 10:08:53

FOR: Plaintiff-Appellant Intersal, Inc.

BY : Mr. David H. Harris, Jr.

LINCK HARRIS LAW GROUP, PLLC

3 - M-EXT-BR (Allowed) - 09-20-2018

Filed: 09-19-2018 @ 20:03:48

FOR: Plaintiff-Appellant Intersal, Inc.

BY : Mr. David H. Harris, Jr.

LINCK HARRIS LAW GROUP, PLLC

4 - M-DSSAPP

Filed: 09-27-2018 @ 12:34:46

FOR: Defendant-Appellee North Carolina Department of Natural and Cultural Resources, et al.

BY : Mr. Brian Rabinovitz

N.C. DEPARTMENT OF JUSTICE

5 - M-EXT-RS (Allowed) - 10-02-2018

Filed: 10-01-2018 @ 10:43:25

FOR: Plaintiff-Appellant Intersal, Inc.

BY : Mr. David H. Harris, Jr.

LINCK HARRIS LAW GROUP, PLLC

6 - M-DSSAPP

Filed: 10-04-2018 @ 09:58:20
FOR: Defendant-Appellee Friends of Queen Anne's Revenge (Non-Profit Corporation)
BY : Mr. Joshua D. Neighbors
HEDRICK GARDNER KINCHELOE & GAROFALO, LLP

RESPONSE TO M-DSSAPP

Filed: 10-19-2018
BY : Mr. David H. Harris, Jr.
LINCK HARRIS LAW GROUP, PLLC

7 - M-EXT-RS (Allowed) - 10-12-2018

Filed: 10-09-2018 @ 21:34:31
FOR: Plaintiff-Appellant Intersal, Inc.
BY : Mr. David H. Harris, Jr.
LINCK HARRIS LAW GROUP, PLLC

8 - APPELLANT BRIEF

Filed: 10-24-2018 @ 17:23:57
FOR: Plaintiff-Appellant Intersal, Inc.
BY : Mr. David H. Harris, Jr.
LINCK HARRIS LAW GROUP, PLLC

9 - MOTION TO STAY BRIEFING

Filed: 11-05-2018 @ 14:19:28
FOR: Defendant-Appellee North Carolina Department of Natural and Cultural Resources, et al.
BY : Mr. Brian Rabinovitz
N.C. DEPARTMENT OF JUSTICE

10 - M-EXT-BR

Filed: 11-05-2018 @ 10:25:14
FOR: Defendant-Appellee North Carolina Department of Natural and Cultural Resources, et al.
BY : Mr. Brian Rabinovitz
N.C. DEPARTMENT OF JUSTICE

11 - M-EXT-BR (Allowed) - 12-14-2018

Filed: 12-13-2018 @ 13:42:49
FOR: Defendant-Appellee North Carolina Department of Natural and Cultural Resources, et al.
BY : Mr. Matthew W. Sawchak
N.C. DEPARTMENT OF JUSTICE

12 - M-EXT-BR (Allowed) - 01-23-2019

Filed: 01-23-2019 @ 14:44:55
FOR: Defendant-Appellee North Carolina Department of Natural and Cultural Resources, et al.
BY : Mr. Matthew W. Sawchak
N.C. DEPARTMENT OF JUSTICE

13 - APPELLEE BRIEF

Filed: 01-25-2019 @ 12:06:02
FOR: Defendant-Appellee Friends of Queen Anne's Revenge (Non-Profit Corporation)
BY : Mr. Joshua D. Neighbors
HEDRICK GARDNER KINCHELOE & GAROFALO, LLP

14 - EXHIBIT

Filed: 01-29-2019 @ 09:20:14
FOR: Defendant-Appellee Friends of Queen Anne's Revenge (Non-Profit Corporation)
BY : Mr. Joshua D. Neighbors
HEDRICK GARDNER KINCHELOE & GAROFALO, LLP

15 - M-EXT-BR (Allowed) - 02-08-2019

Filed: 02-07-2019 @ 11:55:52
FOR: Plaintiff-Appellant Intersal, Inc.
BY : Mr. David H. Harris, Jr.
LINCK HARRIS LAW GROUP, PLLC

16 - APPELLEE BRIEF

Filed: 02-15-2019 @ 11:02:19
FOR: Defendant-Appellee North Carolina Department of Natural and Cultural Resources, et al.
BY : Mr. Matthew W. Sawchak
N.C. DEPARTMENT OF JUSTICE

17 - APPELLANT BRIEF REPLY
 Filed: 02-25-2019 @ 20:39:53
 FOR: Plaintiff-Appellant Intersal, Inc.
 BY : Mr. David H. Harris, Jr.
 LINCK HARRIS LAW GROUP, PLLC

18 - APPELLANT BRIEF REPLY
 Filed: 03-04-2019 @ 22:40:23
 FOR: Plaintiff-Appellant Intersal, Inc.
 BY : Mr. David H. Harris, Jr.
 LINCK HARRIS LAW GROUP, PLLC

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
04-11-2018	Docket Fee	10.00	10.00			R041003618	04-16-2018
05-01-2018	Printing	231.00	231.00	PETITION	134	R051002618	05-15-2018
08-21-2018	Bond	250.00	250.00			R091000218	09-05-2018
08-23-2018	Printing	572.25	572.25	RECORD	327	R091000518	09-07-2018
10-25-2018	Printing	871.50	871.50	APPELLANT BRIEF	498	R111002718	11-08-2018
02-27-2019	Printing	26.25	26.25	APPELLANT BRIEF	15	R061005019	06-27-2019
03-06-2019	Printing	257.25	257.25	APPELLANT BRIEF	147	R031004719	03-28-2019
01-28-2019	Printing	57.75	57.75	APPELLEE BRIEF	33	R021000319	02-04-2019
03-18-2019	Printing	134.75	134.75	APPELLEE BRIEF	77	R031003719	03-18-2019

Payments

Payment Date	Payment Type	Amount	Check Number
08-09-2021	Refund	250.00	4617

Parties

Party Name	Role
	Defendant-Appellant
Susi H. Hamilton, et al.	
Hamilton, Susi H. (Secretary)	Defendant-Appellant
Hamilton, Susi H. (Secretary), et al.	Defendant-Appellee
North Carolina Department of Natural and Cultural Resources	Defendant-Appellee
State of N.C.	Defendant-Appellee
Friends of Queen Anne's Revenge (Non-Profit Corporation)	Defendant-Appellee
Intersal, Inc.	Plaintiff-Appellant
North Carolina Department of Natural and Cultural Resources, et al.	Defendant-Appellee

Attorneys

Attorney for Plaintiff-Appellant - Intersal, Inc.

[Mr. David H. Harris, Jr.] [Primary Attorney] [Signed Brief]

Attorney at Law

dharris@linckharris.com

LINCK HARRIS LAW GROUP, PLLC

2530 Meridian Parkway

Suite 300

Durham, NC 27713

(919) 806-4220

Attorney for Defendant-Appellee - North Carolina Department of Natural and Cultural Resources, et al.

[Mr. Brian Rabinovitz] [Primary Attorney]

Special Deputy Attorney General

BRabinovitz@ncdoj.gov

Mrs. Olga Vysotskaya de Brito [Primary Attorney]

Special Deputy Attorney General

ovysotskaya@ncdoj.gov

Mr. Amar Majmundar [Primary Attorney]

Senior Deputy Attorney General

amajmundar@ncdoj.gov

[Mr. Matthew W. Sawchak] [Primary Attorney] [Signed Brief]

Attorney at Law

msawchak@rbh.com

[Mr. Ryan Y. Park] [Primary Attorney] [Signed Brief]

Solicitor General

rpark@ncdoj.gov

[Ms. Kenzie M. Rakes] [Primary Attorney] [Signed Brief]

Assistant Solicitor General

krakes@ncdoj.gov

N.C. DEPARTMENT OF JUSTICE

P.O. Box 629

Raleigh, NC 27602

(919) 716-6900

Attorney for Defendant-Appellee - North Carolina Department of Natural and Cultural Resources, et al.

Mr. Charles G. Whitehead [Primary Attorney]

Special Deputy Attorney General

cwhitehead@ncdoj.gov

N. C. DEPARTMENT OF JUSTICE

P O Box 629

Raleigh, NC 27602

(919) 716-6842

Attorney for Defendant-Appellee - Friends of Queen Anne's Revenge (Non-Profit Corporation)

Mr. Jeffrey A. Doyle [Primary Attorney]

Attorney at Law

jdoyle@hedrickgardner.com

[Mr. Joshua D. Neighbors] [Primary Attorney] [Signed Brief]

Attorney at Law

jneighbors@ymwlaw.com

HEDRICK GARDNER KINCHELOE & GAROFALO, LLP

4131 Parklake Avenue

Suite 300

Raleigh, NC 27612

(919) 835-0900

Attorney for Defendant-Appellant -

N.C. Supreme Court Clerk [Primary Attorney]

no-reply@sc.nccourts.org

2 E Morgan Street

Raleigh, NC 27602
