

# North Carolina Court of Appeals

## Docket Sheet

### Tower Development v Zell, et al

**Case Number:** 94-1017  
**As of:** 04/30/2024  
**Case Closed:** Yes      **Close Date:** 09-25-1995      **Case Type:** Civil (Civil\_othr)      **Mediation:** No

TOWER DEVELOPMENT PARTNERS,  
 Plaintiff-appellant

V

SAMUEL ZELL, TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 14, 1991; THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, AND THE CITY OF DURHAM,  
 Defendants-Appellees

**Docket Date:** 09-21-1994      **File Date:** 09-08-1994      **File Time:** 04:34      **Acquired Date:** 09-08-1994  
**Bond Collected:** Yes      **Docket Fee:** Yes      **Pauper:** No      **Print Deposit:** No      **State Appeals:** No

**History**

**Venue:** Durham (16)      **Heard In:** District Court  
**To SC:** 11-06-1995      **From SC:**

**Lower Court Number(s)**

**Location:** Durham (16)  
**Judge:** Robert H. Hobgood  
**Case #:** 93CVD03726

**Tracking/Argue**

**Argue Date:** 05-23-1995 #

**Opinion**

**Opinion Date:** 09-05-1995      **Cert Date:** 09-25-1995  
**Author:** Honorable Mark D. Martin  
**Decision:** Affirmed in Part, Reversed in Part and Remanded  
**Opinion Notes:**  
**Opinion Pages:** 12      **Opinion Cost:** \$ 2.40  
**Cite:**  
**Slip Opinion:** <https://appellate.nccourts.org/opinions/?c=2&pdf=10297>

**Documents**

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
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(1) RECORD	09-08-1994					09-27-1994		
(2) APPELLANT BRIEF	10-28-1994	10-26-1994				11-10-1994		
(3) INFORM SHT	10-28-1994	10-26-1994						
(4) APPELLEE BRIEF	11-28-1994	11-23-1984				12-08-1994		
(5) APPELLEE BRIEF	11-28-1994	11-28-1994				12-08-1994		
(6) APPELLEE BRIEF	11-30-1994	11-28-1994				12-15-1994		
(7) MOTION	12-28-1994						Allowed	01-03-1995

1 - RECORD

Filed: 09-08-1994 @ 04:34:00  
 FOR: Plaintiff-Appellant Tower Development  
 BY : Mr. J. Anthony Penry  
 PETREE STOCKTON

2 - APPELLANT BRIEF

Filed: 10-28-1994 @ 11:14:00  
 FOR: Plaintiff-Appellant Tower Development  
 BY : Mr. J. Anthony Penry  
 PETREE STOCKTON

3 - AIS INFORM SHT

Filed: 10-28-1994 @ 11:14:00  
 FOR: Plaintiff-Appellant Tower Development  
 BY : Mr. J. Anthony Penry  
 PETREE STOCKTON

4 - APPELLEE BRIEF

Filed: 11-28-1994 @ 08:53:00  
 FOR: Defendant-Appellee Samuel Zell  
 BY : Mr. James T. Hedrick  
 NEWSOM, GRAHAM, HEDRICK, KENNON & CHEEK, PA

5 - APPELLEE BRIEF

Filed: 11-28-1994 @ 04:35:00  
 FOR: Defendant-Appellee Dpt/Transportation  
 BY : Ms. Emmett B. Haywood

6 - APPELLEE BRIEF

Filed: 11-30-1994 @ 08:33:00  
 FOR: Defendant-Appellee Durham; City of  
 BY : Ms. Karen A. Sindelar

7 - MOTION (Allowed) - 01-03-1995

Filed: 12-28-1994 @ 12:00:00  
 FOR: Plaintiff-Appellant Tower Development  
 BY : Mr. J. Anthony Penry  
 PETREE STOCKTON

The following order was entered:

The motion filed in this cause on the 28th day of December 1994 and designated Motion Notice Of Appearance is allowed.

By order of the Court this the 3rd day of January 1995.

**Financial Information**

**Receipts**

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
09-27-1994	Printing	830.00	818.00	RECORD	415	R092019194A	09-27-1994

09-27-1994	Balance	12.00	12.00	RECORD	415	R092019294A	05-23-1995
11-10-1994	Printing	68.00	70.00	APPELLANT BRIEF	34	R112008694A	11-10-1994
12-15-1994	Printing	48.00	48.00	APPELLEE BRIEF	24	R122001994A	12-15-1994
12-08-1994	Printing	42.00	44.00	APPELLEE BRIEF	21	R122001894A	12-08-1994
12-08-1994	Printing	36.00	0.00	APPELLEE BRIEF	18		

**Payments**

Payment Date	Payment Type	Amount	Check Number
06-01-1995	Refund	2.00	26767
06-01-1995	Refund	2.00	26768

**Exhibits**

**Parties**

Party Name	Role
Tower Development Partners	Plaintiff-Appellant
Zell, Samuel	Defendant-Appellee
NC Department Of Transportation	Defendant-Appellee
Durham; City of	Defendant-Appellee
Tower Development	Plaintiff-Appellant
Dpt/Transportation	Defendant-Appellee
Samuel Zell	Defendant-Appellee

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