

North Carolina Court of Appeals

Docket Sheet

Cabbage, v The Bd. of Trustees Of The Endowment Fund Of NC State Univ.,

Case Number: 14-311
As of: 08/17/2022
Case Closed: Yes **Close Date:** 10-09-2014 **Case Type:** Civil (Civil_othr) **Mediation:** No

FREDERICK W. CUBBAGE, RONALD W. SUTHERLAND, PHD, RICHARD BARNY BERNARD, JR., JAMES D. GREGORY, and JOHN EDDY,

Plaintiffs,

V

THE BOARD OF TRUSTEES OF THE ENDOWMENT FUND OF NORTH CAROLINA STATE UNIVERSITY AT RALEIGH and NC STATE NATURAL RESOURCES FOUNDATION, INC.,

Defendants.

Docket Date: 03-19-2014 **File Date:** 03-18-2014 **File Time:** 03:27 **Acquired Date:** 03-18-2014
Bond Collected: Yes **Docket Fee:** Yes **Pauper:** No Print Deposit: No **State Appeals:** No

History

Venue: Wake (10) **Heard In:** Superior Courts
To SC: **From SC:**

Lower Court Number(s)

Location: Wake (10)
 Judge: Shannon R. Joseph
 Case #: 13CVS12884

Tracking/Argue

Argue Date: 08-26-2014 #

Opinion

Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	03-18-2014	03-18-2014				03-19-2014		
(2) APPELLANT BRIEF	04-23-2014	04-21-2014				04-24-2014		
(3) INFORM SHT	04-23-2014	04-21-2014						
(4) M-EXT-BR	05-21-2014	05-21-2014					Allowed	05-23-2014

(5) M-GEN	05-21-2014	05-21-2014					Other	05-23-2014
(6) APPELLEE BRIEF	06-26-2014					06-27-2014		
(7) APPELLEE BRIEF	06-26-2014	06-26-2014				06-27-2014		
(8) REPLY	07-14-2014					07-15-2014		
(9) REPLY	07-14-2014					07-15-2014		
(10) OTHER	07-15-2014	07-15-2014						
(11) M-GEN	08-07-2014	08-07-2014					Denied	08-15-2014

1 - RECORD

Filed: 03-18-2014 @ 03:27:00
FOR: Appellant Cabbage, Frederick W., et al
BY : Mr. James L. Conner, II
RAGSDALE LIGGETT PLLC

2 - APPELLANT BRIEF

Filed: 04-23-2014 @ 11:52:00
FOR: Appellant Cabbage, Frederick W., et al
BY : Mr. James L. Conner, II
RAGSDALE LIGGETT PLLC

3 - AIS INFORM SHT

Filed: 04-23-2014 @ 11:51:00
FOR: Appellant Cabbage, Frederick W., et al
BY : Mr. James L. Conner, II
RAGSDALE LIGGETT PLLC

4 - M-EXT-BR (Allowed) - 05-23-2014

Filed: 05-21-2014 @ 08:48:16
FOR: Defendant-Appellee The Board of Trustees Of The Endowment Fund Of North Carolina State University At Raleigh
BY : Ms. Catherine F. Jordan
N.C. DEPARTMENT OF JUSTICE

The following order was entered:

The motion filed in this cause on the 21st of May 2014 and designated 'Motion for Extension of Time in Which to File Defendant-Appellees' Briefs' is allowed. Defendant-appellees' briefs shall be filed on or before 26 June 2014.

By order of the Court this the 23rd of May 2014.

RESPONSE TO M-EXT-BR

Filed: 05-21-2014
BY : Mr. James L. Conner, II

5 - MOTION MOTION FOR EXPEDITED CONSIDERATION OF APPEAL (Other) - 05-23-2014

Filed: 05-21-2014 @ 16:59:56
FOR: Appellant Cabbage, Frederick W., et al
BY : Mr. James L. Conner, II

The following order was entered:

The motion filed in this cause on the 21st of May 2014 and designated 'Motion for Expedited Consideration of Appeal' is decided as follows: The case shall be calendared as soon as practicable after all briefs have been filed.

By order of the Court this the 23rd of May 2014.

6 - APPELLEE BRIEF

Filed: 06-26-2014 @ 14:09:20
FOR: Defendant-Appellee The Board of Trustees Of The Endowment Fund Of North Carolina State University At Raleigh
BY : Ms. Catherine F. Jordan
N.C. DEPARTMENT OF JUSTICE

7 - APPELLEE BRIEF

Filed: 06-26-2014 @ 14:17:00
FOR: Defendant-Appellee NC State Natural Resources Foundation, Inc.
BY : Mr. Paul T. Flick
JORDAN PRICE WALL GRAY JONES & CARLTON

8 - APPELLANT BRIEF REPLY
 Filed: 07-14-2014 @ 21:51:38
 FOR: Appellant Cabbage, Frederick W., et al
 BY : Mr. James L. Conner, II

9 - APPELLANT BRIEF REPLY
 Filed: 07-14-2014 @ 21:52:14
 FOR: Appellant Cabbage, Frederick W., et al
 BY : Mr. James L. Conner, II

10 - OTHER
 Filed: 07-15-2014 @ 14:34:11
 FOR: Appellant Cabbage, Frederick W., et al
 BY : Mr. James L. Conner, II

11 - MOTION DEFENDANT-APPELLEE NC STATE NATURAL RESOURCES FOUNDATION, INC.'S MOTION TO VARY THE NORMAL CALENDAR ORDER AND CONTINUE ORAL ARGUMENT (Denied) - 08-15-2014
 Filed: 08-07-2014 @ 07:52:12
 FOR: Defendant-Appellee NC State Natural Resources Foundation, Inc.
 BY : Mr. Paul T. Flick
 JORDAN PRICE WALL GRAY JONES & CARLTON

The following order was entered:

The motion filed in this cause on the 7th of August 2014 and designated 'Defendant-Appellee NC State Natural Resources Foundation, Inc.'s Motion to Vary the Normal Calendar Order and Continue Oral Argument' is decided as follows: The motion to vary normal calendar order for oral argument is denied. This matter, which had been set for oral argument, shall now be decided pursuant to N.C.R. App. P. 30 (f). Counsel are hereby directed not to appear for oral argument.

By order of the Court this the 15th of August 2014.

RESPONSE TO MOTION DEFENDANT-APPELLEE NC STATE NATURAL RESOURCES FOUNDATION, INC.'S MOTION TO VARY THE NORMAL CALENDAR ORDER AND CONTINUE ORAL ARGUMENT
 Filed: 08-11-2014
 BY : Mr. James L. Conner, II

Financial Information

Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
06-27-2014	Printing	56.00	56.00	APPELLEE BRIEF	32	R072000914	07-02-2014
07-01-2014	Printing	94.50	94.50	APPELLEE BRIEF	54	R072056314	07-25-2014
03-19-2014	Docket Fee	10.00	10.00			R032016614	03-19-2014
03-19-2014	Bond	250.00	250.00			R032016614	03-19-2014
03-19-2014	Printing	287.00	287.00	RECORD	164	R032041014	03-27-2014
04-24-2014	Printing	154.00	154.00	APPELLANT BRIEF	88	R052006814	05-07-2014
07-15-2014	Printing	49.00	49.00	APPELLANT BRIEF	28	R072059614	07-30-2014
07-15-2014	Printing	43.75	43.75	APPELLANT BRIEF	25	R092011014	09-05-2014

Payments

Payment Date	Payment Type	Amount	Check Number
09-06-2017	Disburse	250.00	42851

Exhibits

Transcript(s) Electronically Filed

cubbage11-12-13.pdf

Parties

Party Name	Role
Cubbage, Frederick W.	Plaintiff-Appellant
Sutherland, Ronald W. (PhD)	Plaintiff-Appellant
Bernard, Richard (Jr.) (Barny)	Plaintiff-Appellant
Gregory, James D.	Plaintiff-Appellant
Eddy, John	Plaintiff-Appellant
The Board of Trustees Of The Endowment Fund Of North Carolina State University At Raleigh	Defendant-Appellee
NC State Natural Resources Foundation, Inc.	Defendant-Appellee

Attorneys

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