

# North Carolina Court of Appeals

## Docket Sheet

eDealer Servs., LLC v. N.C. Dep't of Transp.

**Case Number:** 23-680  
**As of:** 05/01/2024  
**Case Closed:** Yes **Close Date:** 04-08-2024 **Case Type:** Civil (Tort, Contract, Real Property) **Mediation:** No

EDEALER SERVICES, LLC,  
 Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF  
 TRANSPORTATION,  
 Respondent,

and

VANGUARD DIRECT, INC.,  
 Respondent-Intervenor.

<b>Docket Date:</b>	08-17-2023	<b>File Date:</b>	07-25-2023	<b>File Time:</b>	01:43	<b>Acquired Date:</b>	07-25-2023		
<b>Bond Collected:</b>	Yes	<b>Docket Fee:</b>	Yes	<b>Pauper:</b>	No	Print Deposit:	No	<b>State Appeal:</b>	-

### History

<b>Venue:</b>	Wake (10)	<b>Heard In:</b>	Superior Court
<b>To SC:</b>		<b>From SC:</b>	

### Lower Court Number(s)

Location: Wake (10)  
 Judge: Keith O. Gregory  
 Case #: 22CVS8414

### Tracking/Argue

**Argue Date:** 02-06-2024 #

### Opinion

Opinion Date: 03-19-2024 Cert Date: 04-08-2024  
 Author: Honorable Julee Flood  
 Decision: Affirmed  
 Opinion Notes:  
 Opinion Pages: 21 Opinion Cost: \$ 4.20  
 Cite:  
 Slip Opinion: <https://appellate.nccourts.org/opinions/?c=2&pdf=43233>

### Documents

Document	Date Recvd	Cert of Service	Rec/Brf Due	Resp. Due	Resp. Recvd	Mailed Out	Ruling	Ruling Date
(1) RECORD	07-25-2023	07-25-2023				08-17-2023		
(2) RULE 9(D) COPIES OF EXHIBITS AND OTHER ITEMS	07-25-2023							
(3) SUPPLEMENT	07-25-2023							
(4) M-EXT-BR	08-23-2023	08-23-2023					Allowed	08-23-2023
(5) APPELLANT BRIEF	08-24-2023					08-28-2023		
(6) M-EXT-BR	08-29-2023	08-29-2023					Allowed	08-29-2023
(7) APPELLANT BRIEF	09-25-2023	09-25-2023				09-26-2023		
(8) M-EXT-BR	10-12-2023	10-12-2023					Allowed	10-12-2023
(9) APPELLEE BRIEF	11-30-2023	11-30-2023				12-01-2023		
(10) REPLY	12-13-2023	12-13-2023				12-14-2023		
(11) REPLY	12-14-2023	12-14-2023				12-18-2023		

## 1 - RECORD

Filed: 07-25-2023 @ 13:43:40

FOR: Respondent-Appellant N.C. Department of Transportation

BY : Mr. Jonathan J. Evans

N.C. DEPARTMENT OF JUSTICE

## 2 - RECORD RULE 9(D) COPIES OF EXHIBITS AND OTHER ITEMS

Filed: 07-25-2023 @ 13:45:58

FOR: Respondent-Appellant N.C. Department of Transportation

BY : Mr. Jonathan J. Evans

N.C. DEPARTMENT OF JUSTICE

## 3 - RECORD SUPPLEMENT

Filed: 07-25-2023 @ 13:48:16

FOR: Respondent-Appellant N.C. Department of Transportation

BY : Mr. Jonathan J. Evans

N.C. DEPARTMENT OF JUSTICE

## 4 - M-EXT-BR (Allowed) - 08-23-2023

Filed: 08-23-2023 @ 09:58:47

FOR: Intervenor-Appellant Vanguard Direct, Inc.

BY : Mr. Michael J. Tadych

STEVENS, MARTIN, VAUGHN &amp; TADYCH, PLLC

The following order was entered:

The motion filed in this cause on the 23rd of August 2023 and designated 'Intervenor-Appellants' Motion for Extension of Time to File Opening Brief' is allowed. Intervenor Appellant Vanguard Direct, Inc.'s brief shall be filed on or before 25 September 2023.

By order of the Court this the 23rd of August 2023.

## 5 - APPELLANT BRIEF

Filed: 08-24-2023 @ 16:33:08

FOR: Respondent-Appellant N.C. Department of Transportation

BY : Mr. Jonathan J. Evans

N.C. DEPARTMENT OF JUSTICE

6 - M-EXT-BR (Allowed) - 08-29-2023  
 Filed: 08-29-2023 @ 09:25:02  
 FOR: Petitioner-Appellee eDealer Services, LLC  
 BY : Ms. Catherine G. Clodfelter  
 PARKER POE ADAMS & BERNSTEIN LLP

The following order was entered:

The motion filed in this cause on the 29th of August 2023 and designated 'Motion of Petitioner-Appellee for Extension of Time to File Brief' is allowed as follows: Petitioner-Appellee's brief(s) shall be filed on or before 31 October 2023.

By order of the Court this the 29th of August 2023.

7 - APPELLANT BRIEF  
 Filed: 09-25-2023 @ 18:08:06  
 FOR: Intervenor-Appellant Vanguard Direct, Inc.  
 BY : Mr. Michael J. Tadych  
 STEVENS, MARTIN, VAUGHN & TADYCH, PLLC

8 - M-EXT-BR (Allowed) - 10-12-2023  
 Filed: 10-12-2023 @ 11:37:15  
 FOR: Petitioner-Appellee eDealer Services, LLC  
 BY : Ms. Catherine G. Clodfelter  
 PARKER POE ADAMS & BERNSTEIN LLP

The following order was entered:

The motion filed in this cause on the 12th of October 2023 and designated 'Motion of Petitioner-Appellee for Extension of Time to File Brief' is allowed. Petitioner-Appellee's brief(s) shall be filed on or before 30 November 2023.

By order of the Court this the 12th of October 2023.

9 - APPELLEE BRIEF  
 Filed: 11-30-2023 @ 17:16:25  
 FOR: Petitioner-Appellee eDealer Services, LLC  
 BY : Mr. Michael A. Goldsticker  
 PARKER POE ADAMS & BERNSTEIN, LLP

10 - APPELLANT BRIEF REPLY  
 Filed: 12-13-2023 @ 14:49:29  
 FOR: Respondent-Appellant N.C. Department of Transportation  
 BY : Mr. Jonathan J. Evans  
 N.C. DEPARTMENT OF JUSTICE

11 - APPELLANT BRIEF REPLY  
 Filed: 12-14-2023 @ 15:36:00  
 FOR: Intervenor-Appellant Vanguard Direct, Inc.  
 BY : Mr. Michael J. Tadych  
 STEVENS MARTIN VAUGHN & TADYCH, PLLC

### Financial Information

#### Receipts

Date Charged	Charge Type	Amount Charged	Amount Paid	Document	Pages	Receipt #	Date Paid
08-17-2023	Docket Fee	10.00	10.00			R082041823	08-17-2023
08-17-2023	Bond	250.00	250.00			R082041823	08-17-2023
09-26-2023	Printing	56.00	56.00	APPELLANT BRIEF	32	R102001123	10-02-2023
12-18-2023	Printing	15.75	15.75	APPELLANT BRIEF	9	R012004724	01-08-2024
	Assess	42.13	42.13			R042003224	04-03-2024
07-26-2023	Docket Fee	10.00	10.00			R082041923	08-17-2023
09-01-2023	Printing	603.75	603.75	RECORD	345	R102009923	10-06-2023
09-01-2023	Printing	80.50	80.50	APPELLANT BRIEF	46	R102011823	10-06-2023

01-02-2024	Printing	42.00	42.00	APPELLANT BRIEF	24	R012013924	01-12-2024
04-03-2024	Assess	42.12	0.00				
12-01-2023	Printing	75.25	75.25	APPELLEE BRIEF	43	R122002423	12-04-2023

**Payments**

Payment Date	Payment Type	Amount	Check Number
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**Exhibits**

**Transcript(s) Electronically Filed**

- 2.9.23-transcript-edealer-v-ncdot-et-al.pdf
- 1.6.22-transcript-ncdit-hearing-vol-1-of-1.pdf
- transcript-edealer-serv-v-nc-dot-sep-8-2021-vol-1-of-4.pdf
- transcript-edealer-serv-v-nc-dot-sep-9-2021-vol-2-of-4.pdf
- transcript-edealer-serv-v-nc-dot-sep-10-2021-vol-3-of-4.pdf
- transcript-edealer-serv-v-nc-dot-sep-17-2021-vol-4-of-4.pdf

**Parties**

Party Name	Role
eDealer Services, LLC	Petitioner-Appellee
N.C. Department of Transportation	Respondent-Appellant
Vanguard Direct, Inc.	Intervenor-Appellant

**Attorneys**

**Attorney for Respondent-Appellant - N.C. Department of Transportation**

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