

IN THE SUPREME COURT OF NORTH CAROLINA

No. 53PA98

THE NEWS AND OBSERVER PUBLISHING COMPANY, INC.; CAPITAL BROADCASTING COMPANY, INC.; ABC, INC.; NATIONAL BROADCASTING COMPANY; WLFL, INC.; NORTH CAROLINA PRESS ASSOCIATION; and NORTH CAROLINA ASSOCIATION OF BROADCASTERS, INC.

v.

PAUL COBLE; TOM FETZER; MARC SCRUGGS, JR.; and KIERAN SHANAHAN

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, 128 N.C. App. 307, 494 S.E.2d 784 (1998), reversing a judgment entered on 7 February 1997 which dismissed plaintiffs' complaint, and reversing an order entered on 11 February 1997 which taxed attorneys' fees against plaintiffs, by Farmer, J., in Superior Court, Wake County. Heard in the Supreme Court 29 September 1998.

*Brooks, Pierce, McLendon, Humphrey & Leonard, L.L.P., by Mark J. Prak and David Kushner; and Everett, Gaskins, Hancock & Stevens, by Hugh Stevens and C. Amanda Martin, for plaintiff-appellees.*

*Eugene Boyce and Philip Isley for defendant-appellants.*

PER CURIAM.

AFFIRMED.

Justice WYNN did not participate in the consideration or decision of this case.