

IN THE SUPREME COURT OF NORTH CAROLINA

No. 76A03

FILED: 7 NOVEMBER 2003

PETER BREVORKA and wife CAROLE BREVORKA

v.

WOLFE CONSTRUCTION, INC.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 155 N.C. App. 353, 573 S.E.2d 656 (2002), reversing an order entered 3 October 2001 by Judge Catherine C. Eagles in Superior Court, Guilford County, and remanding for entry of a stay of plaintiffs' action pending arbitration. Heard in the Supreme Court 13 October 2003.

*Alexander Ralston, Speckhard & Speckhard, L.L.P., by Stanley E. Speckhard, for plaintiff-appellants.*

*Tuggle Duggins & Meschan, P.A., by Kenneth J. Gumbiner, for defendant-appellee.*

*Roy Cooper, Attorney General, by Gary R. Govert, Special Deputy Attorney General, on behalf of the Consumer Protection Division of the North Carolina Department of Justice, amicus curiae.*

*Lewis & Roberts, PLLC, by Gary W. Jackson and Kurt F. Hausler, on behalf of the North Carolina Academy of Trial Lawyers, amicus curiae.*

PER CURIAM.

For the reasons stated in the dissenting opinion, we reverse the decision of the Court of Appeals.

REVERSED.

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