

IN THE SUPREME COURT OF NORTH CAROLINA

No. 134A25

Filed 12 December 2025

KELLY C. HOWARD and FIFTH THIRD BANK, NATIONAL ASSOCIATION, as co-trustees of the Ronald E. Howard Revocable Trust u/a dated February 9, 2016, as amended and restated

v.

IOMAXIS, LLC n/k/a MAXISIQ, INC.; FIVE INSIGHTS, LLC; BRAD C. BOOR a/k/a BRAD C. BUHR; JOHN SPADE, JR.; WILLIAM P. GRIFFIN, III; NICHOLAS HURYSH, JR.; and ROBERT A. BURLESON

Appeal pursuant to N.C.G.S. § 7A-27(a)(3)(a) from an order and opinion denying defendants' motion to dismiss plaintiffs' second amended complaint entered on 27 November 2024 by Judge Julianna Theall Earp, Special Superior Court Judge for Complex Business Cases, in Superior Court, Mecklenburg County, after the case was designated a mandatory complex business case by the Chief Justice pursuant to N.C.G.S. § 7A-45.4(a). Heard in the Supreme Court on 5 November 2025.

*Womble Bond Dickinson (US) LLP, by Scott D. Anderson, Lawrence A. Moya IV, and Miriam D. Colón, for Fifth Third Bank, as Co-Trustee of the Ronald E. Howard Revocable Trust U/A dated February 9, 2016, as amended and restated, plaintiff-appellee; and Johnston, Allison & Hord, P.A., by Kathleen D.B. Burchette, Patrick E. Kelly, Alexandra P. Nibert, and Austin R. Walsh, for Kelly C. Howard, as Co-Trustee of the Ronald E. Howard Revocable Trust U/A dated February 9, 2016, as amended and restated, plaintiff-appellee.*

*Brooks, Pierce, McLendon, Humphrey & Leonard, L.L.P., by Benjamin S. Chesson, David N. Allen, Anna C. Majestro, and Amanda S. Hawkins; and Nelson, Mullins, Riley & Scarborough, LLP, by Travis A. Bustamante, for defendant-appellants Robert A. Burleson and Five Insights, LLC.*

HOWARD V. IOMAXIS, LLC

*Opinion of the Court*

PER CURIAM.

AFFIRMED.