

NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
05 CvS 4005

KEVIN A. MONCE,)
)
Plaintiff,)
)
vs.)
)
NANCY G. DEAS and EDNA E. DEAS,)
)
Defendants.)

2007 JAN 31 P 1: 02

WAKE COUNTY, CSC

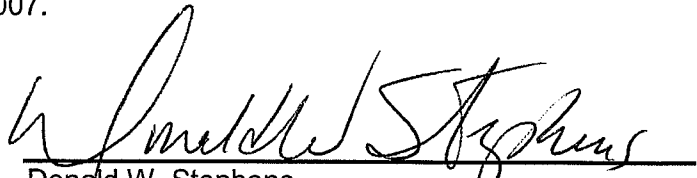
ORDER

This matter came on for hearing before the undersigned on the parties' Joint Motion to Continue Trial from the January 29, 2007 session of Superior Court and counsels' joint request for a status conference to discuss the procedure for resolving certain threshold issues of law. By order entered January 11, 2007 the undersigned granted the Joint Motion to Continue Trial.

A status conference was convened on January 17, 2007. Both parties were present, through their respective counsel of record. Having reviewed the record and conferred with counsel, the court determines that certain threshold issues of law must be resolved prior to trial in order to establish the law of the case; that these issues were not addressed or decided by the order entered in this cause by the Honorable Carl R. Fox on December 15, 2006; and that these issues may properly be resolved via motions for partial summary judgment.

WHEREFORE, IT IS ORDERED, ADJUDGED and DECREED that the parties may file, and the court may resolve, motions for partial summary judgment with respect to the threshold legal issues identified by counsel.

This the 31 day of January, 2007.



Donald W. Stephens
Senior Resident Superior Court Judge