

STATE OF NORTH CAROLINA
CUMBERLAND COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
25CV008690-250

CATINA RHINEHART,

Plaintiff,

v.

JACKSON HOWARD and
SWEETWATER PROPERTY
MANAGEMENT, LLC,

Defendants.

ORDER ON DESIGNATION

1. **THIS MATTER** is before the Court pursuant to the Determination Order issued on 26 June 2025 by the Honorable Paul Newby, Chief Justice of the Supreme Court of North Carolina, directing the undersigned to determine whether this action is properly designated as a mandatory complex business case in accord with N.C.G.S. § 7A-45.4(a).

2. On 24 June 2025, Plaintiff Catina Rhinehart (Plaintiff) initiated this action upon the filing of the Complaint in Cumberland County Superior Court. (*See* Compl. 1.)

3. On 25 June 2025, Plaintiff filed the Notice of Designation. (*See generally* Not. Designation.)

4. Pursuant to N.C.G.S. § 7A-45.4(d)(1), “[t]he Notice of Designation shall be filed . . . [b]y the plaintiff . . . contemporaneously with the filing of the complaint[.]” The contemporaneous filing requirement of N.C.G.S. § 7A-45.4(d)(1) is mandatory. As a result, the Court determines that this action is not properly designated as a mandatory complex business case in accord with N.C.G.S. § 7A-45.4(a) and,

therefore, shall not be assigned to a Special Superior Court Judge for Complex Business Cases. *See, e.g., Shah v. Ahmed*, 2023 NCBC LEXIS 26, at *1–2 (N.C. Super. Ct. Feb. 13, 2023) (determining designation was improper when notice of designation was allegedly filed four months after the filing of the complaint); *Shenzhen Ruobilin Network Tech. Co. v. ChannelAdvisor Corp.*, 2022 NCBC LEXIS 144, at *1 (N.C. Super. Ct. Nov. 30, 2022) (determining designation was improper when notice of designation was filed thirty-three days after the filing of the complaint).

5. Consistent with the Determination Order, the Court hereby advises the Senior Resident Superior Court Judge of Judicial District 14 that this action is not properly designated as a mandatory complex business case so that the action may be treated as any other civil action, wherein designation as a Rule 2.1 exceptional case may be pursued with the Senior Resident Superior Court Judge if deemed appropriate.

6. The Court's ruling is without prejudice to the right of any party to seek designation of this matter as a mandatory complex business case as provided under N.C.G.S. § 7A-45.4.

SO ORDERED, this the 27th day of June, 2025.

/s/ Michael L. Robinson

Michael L. Robinson
Chief Business Court Judge