

STATE OF NORTH CAROLINA

LEE COUNTY

JUSTIN BUCHANAN, Administrator
of the ESTATE OF TRAVIS WAYNE
BUCHANAN; TW BUCHANAN
FARMS, LLC; and TW BUCHANAN'S
TREE SERVICE, LLC,

Plaintiffs,

v.

NORMAN L. CAMERON, an
Individual; KATHERINE CAMERON,
an Individual; and NORMAN L.
CAMERON, Administrator of the
ESTATE OF CANDACE RENEE
CAMERON BUCHANAN,

Defendants.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

25CV001433-520

**ORDER ON DEFENDANTS'
OPPOSITION TO PLAINTIFFS'
NOTICE OF DESIGNATION OF
ACTION AS A MANDATORY
COMPLEX BUSINESS CASE**

1. **THIS MATTER** is before the Court following the 25 September 2025 filing by Defendants Norman L. Cameron and Katherine Cameron, as individuals, and Norman L. Cameron, Administrator of the Estate of Candace Renee Cameron Buchanan (collectively, Defendants) of *Defendants' Opposition to Plaintiffs' Notice of Designation of Action as a Mandatory Complex Business Case* (the Opposition). (ECF No. 11 [Opp'n].)

2. Plaintiffs Justin Buchanan, Administrator of the Estate of Travis Wayne Buchanan, TW Buchanan Farms, LLC, and TW Buchanan's Tree Service, LLC (collectively, Plaintiffs) initiated this action on 20 August 2025, asserting claims against Defendants for declaratory judgment, conversion, tortious interference with contract, and defamation *per se*. (Compl. ¶¶ 44–66, ECF No. 3.) On the same date,

Plaintiffs timely filed a Notice of Designation (NOD), asserting the case meets the criteria for designation under N.C.G.S. § 7A-45.4(a)(1). (Notice Designation 2–3, ECF No. 5 [NOD].)

3. On 21 August 2025, the Honorable Paul Newby, Chief Justice of the Supreme Court of North Carolina, issued an Order designating the case as a mandatory complex business case under N.C.G.S. § 7A-45.4(a) and ordered the undersigned to assign the case to a Business Court Judge. (Designation Order, ECF No. 1.) On the same date, the case was assigned to the Honorable Julianna Theall Earp, Special Superior Court Judge for Complex Business Cases. (Assignment Order, ECF No. 2.) On 25 September 2025, Defendants filed the Opposition contending that designation under N.C.G.S. § 7A-45.4(a) is improper. (Opp’n 1–2.) According to Defendants, the tort claims in this action are not appropriate for Business Court designation and “the remaining allegations do not involve material issues governing corporations, partnerships, limited liability companies and limited partnerships.” (Opp’n 1.) Defendants further contend that this action “contains no novel, extraordinary or complex claims or issues[.]” (Opp’n 1–2.)

4. Pursuant to N.C.G.S. § 7A-45.4(e), the undersigned is required to rule by written order on Defendants’ objection and to determine whether the action should be designated as a mandatory complex business case.¹

¹ Because the Court believes that Defendants’ Opposition is straightforward and easily determined without awaiting a response by the designating parties, the Court enters this Order before any response has been received.

5. Based on the record before the Court, it appears this action arises out of a dispute between the estates of Travis Wayne Buchanan (Mr. Buchanan) and Candace Renee Cameron Buchanan (Ms. Buchanan) following their deaths on 7 July 2025. (See Compl. ¶¶ 7, 11.) Plaintiffs assert that at the time of Mr. Buchanan's death, he operated a farming company and a tree service company as a sole proprietor. (See Compl. ¶ 13.) According to Plaintiffs, Defendants contend that the sole proprietorships were in fact partnerships and Ms. Buchanan's estate owns an interest in the assets of the businesses. (See Compl. ¶ 22.) Plaintiffs seek a declaratory judgment

adjudicating that (a) the Sole Proprietorships were not partnerships, (b) that Candace Buchanan was not a partner in the businesses operated by the Sole Proprietorships, (c) that neither the Camerons nor the Estate of Candace Buchanan have any ownership interest in any of the assets involved in the operation of the Sole Proprietorships prior to the Buchanans' death, and (d) that the Estate of Travis Buchanan and the LLCs are the sole owners of the business assets Travis Buchanan used to operate the Sole Proprietorships.

(Compl. ¶ 48.)

6. Plaintiffs sought mandatory complex business case designation pursuant to N.C.G.S. § 7A-45.4(a)(1). (See NOD 1.) Designation under this section is proper if the action involves a material issue related to "[d]isputes involving the law governing corporations, except charitable and religious organizations qualified under G.S. 55A-1-40(4) on the grounds of religious purpose, partnerships, and limited liability companies, including disputes arising under Chapters 55, 55A, 55B, 57D, and 59 of the General Statutes." N.C.G.S. § 7A-45.4(a)(1).

7. According to Plaintiffs, designation is proper under section 7A-45.4(a)(1) because determining whether the businesses operated by Mr. Buchanan are sole proprietorships or partnerships will necessarily involve the law governing partnerships. (*See* NOD 3.)

8. The Court agrees. “Disputes involving the law governing partnerships, including disputes arising under Chapter 59, ‘fall[] within one of the categories specified in section 7A-45.4[.]’ ” *Mixaykham v. Nguyen*, 2022 NCBC LEXIS 31, at *5 (N.C. Super. Ct. Apr. 20, 2022) (overruling opposition to designation where dispute regarding existence of sole proprietorship or partnership necessitated application of law governing partnerships).

9. Defendants oppose designation on several grounds, none of which have merit.

10. First, Defendants’ simple characterization of the dispute—“the determination of ownership in a partnership”—and contention that N.C.G.S. § 7A-45.4(a)(1) “allows designation for actions involving material issues related to disputes involving the law governing corporations, [but] a simple partnership/sole proprietorship determination does not necessarily constitute such a dispute” fall short. (NOD 2–3.) The North Carolina Business Court regularly hears disputes involving small, family-owned businesses where the law governing corporations, partnerships, or limited liability companies is implicated. The Court agrees with Plaintiffs that at the heart of the declaratory judgment claim are issues regarding whether a partnership exists, which property constitutes partnership property, and

the property rights of a partner, all of which will necessitate reference to the law governing partnerships, including Chapter 59. (*See* NOD 3.)

11. Defendants point to Plaintiffs' failure to cite to Chapter 59 in the Complaint. (*See* Opp'n 3–4.) However, Plaintiffs' decision to cite to Chapter 59 in the NOD, but not in the Complaint, does not prevent the case from being designated to the Business Court when the Complaint otherwise includes a material issue related to “[d]isputes involving the law governing . . . partnerships[.]” N.C.G.S. § 7A-45.4(a)(1). Citation to Chapter 59 is not a prerequisite for designation to the Business Court. Conversely, “merely referencing Chapter 59 . . . certainly does not transform a case that would otherwise fail to meet the requirements of N.C.G.S. § 7A-45.4(a)(1) into one that does.” *Meridian Renewable Energy LLC v. Birch Creek Dev., LLC*, 2025 NCBC LEXIS 85, at *6 (N.C. Super. Ct. July 23, 2025).

12. In addition, woven throughout the Opposition, Defendants argue that designation as a mandatory complex business case is improper because this action does not involve novel or complex business issues. (*See* Opp'n 1–5.) Specifically, Defendants contend “this action contains no novel, extraordinary or complex claims or issues, and is similar to other matters routinely filed and handled by our clerks, our domestic judges in cases of equitable distribution, and by our Superior Court judges.” (Opp'n 2.)

13. However, this Court has held and continues to hold that, “while a material issue related to the law governing corporations is required to support designation under section 7A-45.4(a)(1), that section does not further require that the issue

involve a claim of any particular complexity[] . . . or extend beyond the regular jurisdiction of any Superior Court Judge.” *Leone v. Leone*, 2025 NCBC LEXIS 1, at *6 (N.C. Super. Ct. Jan. 16, 2025) (quoting *Bui v. Phan*, 2024 NCBC LEXIS 43, at *7 (N.C. Super. Ct. Mar. 8, 2024)). Because the complexity of a case has no bearing on whether it has been properly designated as a mandatory complex business case under section 7A-45.4(a)(1), Defendants’ argument in this regard similarly fails.

14. Lastly, Defendants’ contention that this case contains other claims, such as torts, that do not by themselves implicate Business Court designation is irrelevant. (See Opp’n 1, 3–4.) There need be only one claim that “involves a material issue related to” any of the subsections of N.C.G.S. § 7A-45.4(a) in order for a notice of designation to be properly approved and the case designated to the Business Court. N.C.G.S. § 7A-45.4(a).²

15. **THEREFORE**, the Court, in the exercise of its discretion, hereby **ORDERS** that the Opposition is **OVERRULED**. This action involves a material issue related to “[d]isputes involving the law governing corporations, except charitable and religious organizations qualified under G.S. 55A-1-40(4) on the grounds of religious purpose, partnerships, and limited liability companies, including disputes arising under Chapters 55, 55A, 55B, 57D, and 59 of the General Statutes[]” as required by N.C.G.S. § 7A-45.4(a)(1) and shall proceed as a mandatory complex business case before the Honorable Julianna Theall Earp.

² It appears from the materials provided to the Court that Defendants’ Opposition is likely not timely, which would provide an additional ground for overruling the Opposition. However, the Court does not base its determination on untimeliness in this case.

SO ORDERED, this the 30th day of September, 2025.

/s/ Michael L. Robinson

Michael L. Robinson

Chief Business Court Judge