

STATE OF NORTH CAROLINA
ORANGE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
25CV002823-670

LEILA STRICKLAND,
Plaintiff,

v.

SHAYNE GUILIANO,
Defendant.

ORDER ON DESIGNATION

1. **THIS MATTER** is before the Court pursuant to the *Determination Order* issued on 10 November 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 accordance with N.C.G.S. § 7A-45.4. (ECF No. 1.)

2. Plaintiff Leila Strickland (Strickland) initiated this action on 7 November 2025, asserting a claim against Defendant Shayne Guiliano (Guiliano) for declaratory judgment regarding the ownership, control, and governance of 108Labs, LLC (108 Labs). (See Verified Compl. ¶¶ 32–36, ECF No. 2 [Compl].) On the same date, Strickland timely filed a Notice of Designation (the NOD), seeking mandatory complex business case designation pursuant to N.C.G.S. § 7A-45.4(b)(2) and asserting the case meets the criteria for designation under that statutory provision. (See Notice Designation 2–3, ECF No. 3 [NOD].)

3. Based on the record before the Court, it appears that this action arises out of a dispute between former spouses regarding the ownership of 108Labs. (See

generally Compl.) Strickland alleges that 108Labs is a member-managed LLC without an operating agreement, that she is—and always has been—the sole member, and that certain actions have been taken by Guiliano as to 108Labs without her approval, consent, or involvement since 2020. (*See* Compl. ¶¶ 16–20, 24–26, 30, 31.) In her NOD, Strickland contends that N.C.G.S. § 7A-45.4(b)(2) applies because “108Labs’ total assets, including those anticipated as a result of other pending litigation, exceeds \$5 million dollars [sic], qualifying this case as a ‘mandatory mandatory’ complex business case.” (NOD 2.)

4. Section 7A-45.4(b)(2) provides that “[a]n action described in subdivision (1), (2), (3), (4), (5), or (8) of subsection (a) of this section in which the amount in controversy computed in accordance with G.S. 7A-243 is at least five million dollars (\$5,000,000) shall be designated as a mandatory complex business case by the party whose pleading caused the amount in controversy to equal or exceed five million dollars (\$5,000,000).” N.C.G.S. § 7A-45.4(b)(2). “Designation under subsection (b)(2) is predicated on a case satisfying one of the criteria listed in subsection (a).” *Hedgepeth v. Cornblum*, 2025 NCBC LEXIS 29, at *5 (N.C. Super. Ct. Mar. 17, 2025) (citation omitted). Oddly, Strickland did not indicate which subdivision of subsection (a) applies in her NOD. (*See generally* NOD.) Rather, she only checked the box for subsection (b)(2). “[T]he Court will not second-guess a designating party’s choice as to the applicable subsection that the party certifies to in the notice of designation.” *Fortune Brands Innovations, Inc. v. Bleser*, 2025 NCBC LEXIS 139, at *4 (N.C. Super. Ct. Oct. 10, 2025).

5. Furthermore, this case fails to satisfy the amount in controversy requirement to be designated as a “mandatory mandatory” case under subsection (b)(2).¹ Section 7A-45.4(b)(2) requires designation when the “*pleading* caused the amount in controversy to equal or exceed five million dollars[.]” N.C.G.S. § 7A-45.4(b)(2) (emphasis added). Rule 8 of the North Carolina Rules of Civil Procedure requires that “[i]n all actions involving a material issue related to any of the subjects listed in G.S. 7A-45.4(a)(1), (2), (3), (4), (5), or (8), the *pleading* shall state whether or not relief is demanded for damages incurred or to be incurred in an amount equal to or exceeding five million dollars (\$5,000,000).” N.C.G.S. § 1A-1, Rule 8(a)(2) (emphasis added).

6. Strickland’s Verified Complaint, upon which designation is based, does not seek relief in an amount equal to or exceeding five million dollars (\$5,000,000.00). Rather, it contains a declaratory judgment claim with no specific request for monetary relief. (Compl. ¶¶ 32–36, Prayer.) While Strickland contends 108Labs has total assets with a “combined anticipated value of more than \$5 million dollars,” (Compl. ¶ 1), the estimated amount of a company’s anticipated assets and the amount in controversy in pending litigation are not one in the same.

7. As this Court has recently explained in the context of N.C.G.S. § 7A-45.4(a)(9), which requires a threshold amount in controversy of one million dollars (\$1,000,000.00), “in order to satisfy the amount in controversy requirement . . . the

¹ For further discussion of a “mandatory mandatory” case, see *Meridian Renewable Energy LLC v. Birch Creek Dev., LLC*, 2025 NCBC LEXIS 56, at *5 (N.C. Super. Ct. May 16, 2025).

pleading on which designation is based must provide a path whereby the Court can clearly determine the threshold amount . . . is satisfied. Here, the amount in controversy is simply too uncertain in the Complaint for the Court to conclude that Plaintiff's claims satisfy this requirement.” *Covenant Clearinghouse LLC v. D.R. Horton, Inc.*, 2025 NCBC LEXIS 125, at *4 (N.C. Super. Ct. Sep. 26, 2025). Similarly, in this case, where the Complaint does not provide a path whereby the Court can clearly determine the threshold amount of five million dollars (\$5,000,000.00) is satisfied, designation under N.C.G.S. § 7A-45.4(b)(2) is not proper.² See *Hedgepeth*, 2025 NCBC LEXIS 29, at *6–7 (declining to designate under N.C.G.S. § 7A-45.4(b)(2) where complaint did not seek relief equal to or in excess of five million dollars (\$5,000,000.00)).

8. Based on the foregoing, the Court concludes that this action shall not proceed as a mandatory complex business case under N.C.G.S. § 7A-45.4(a) or (b) and thus shall not be assigned to a Special Superior Court Judge for Complex Business Cases.

9. Consistent with the Determination Order, the Court hereby advises the Senior Resident Superior Court Judge of Judicial District 18 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.

² In addition to the other irregularities surrounding designation in this case, the Court notes the NOD purports to include a certification by a “Ms. Suazo,” and not Strickland. (NOD 1.)

10. The Court's ruling is without prejudice to the right of the parties to otherwise seek designation of this matter as a mandatory complex business case as may be permitted under N.C.G.S. § 7A-45.4.

SO ORDERED, this the 13th day of November, 2025.

/s/ Michael L. Robinson
Michael L. Robinson
Chief Business Court Judge