

STATE OF NORTH CAROLINA
DURHAM COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
25CV001214-310

KELLY F. MOORE, individually and
as Executor of the ESTATE OF DRUE A.
MOORE; MILES MOORE,
individually and on behalf of his minor
brother, COLE MOORE; KMC
MOORE LLC, as Trustee of the
REDWOOD TRUST, u/a/d April 10,
2017; and RICK GRAVES, as Trustee
of the REDWOOD LIFE INSURANCE
TRUST u/a/d November 15, 2018,

Plaintiffs,

v.

ROBERT SCOTT BROOKS and
WINTHROP INTELLIGENCE, LLC,

Defendants.

ROBERT SCOTT BROOKS and
WINTHROP INTELLIGENCE, LLC

Crossclaim
Plaintiffs,

v.

REDWOOD WI HOLDINGS, LLC

Crossclaim
Defendant.

**ORDER ON RESPONSE TO ORDER
TO SHOW CAUSE**

1. This matter is before the Court on the Court's Order entered 17 November 2025 requiring the law firm of Ward and Smith, P.A. and attorneys from the firm appearing in this action to show cause as to why they should not be disqualified as counsel for either Plaintiffs or Redwood WI Holdings, LLC, or both, in this action

pursuant to Rule 1.7 of the North Carolina Professional Rules of Conduct in light of Plaintiffs' then-pending causes of action seeking relief against Redwood WI Holdings, LLC, among others. (ECF No. 123).

2. After the Court entered its show-cause Order, on 18 November 2025, Plaintiffs filed notices of voluntary dismissal without prejudice with respect to the causes of action asserted against Redwood WI Holdings, LLC; Redwood RE I, LLC; Redwood RE II, LLC; Teton Global Ventures, LLC; and DAC Worldwide, LLC. (ECF Nos. 124–128).

3. On 1 December 2025, Ward and Smith, P.A. submitted a responsive brief to the Court's Order in which the firm asserted that Plaintiffs intended to file suit against Redwood WI Holdings, LLC as a nominal defendant rather than as a direct defendant and that Plaintiffs did not intend to pursue causes of action against Redwood WI Holdings, LLC. (ECF No. 134 at 4–6). The brief also pointed to Plaintiffs' voluntary dismissals of all causes of action against Redwood WI Holdings, LLC and the other parties noted above. (ECF No. 134 at 3–4).

4. With those causes of action voluntarily dismissed and no longer asserted by certain parties represented by the firm against another party represented by the firm, the Court in its discretion determines that the firm and its attorneys have adequately demonstrated that they should not, at this time, be disqualified as counsel in this action. *See* N.C. R. Pro. Conduct 1.7(a)(1).

5. Therefore, in its discretion, the Court determines that the show-cause Order is satisfied, and Ward & Smith, P.A. and its attorneys may continue to represent Plaintiff in this action at this time.

SO ORDERED, this 31st day of December 2025.

/s/ Matthew T. Houston

Matthew T. Houston
Special Superior Court Judge
for Complex Business Cases