

STATE OF NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
26CV002112-400

VALERIE JONES,

Plaintiff,

v.

BULL AND BEAR INVESTMENTS
LLC,

Defendant.

ORDER ON DESIGNATION

1. **THIS MATTER** is before the Court pursuant to the *Determination Order* issued on 12 February 2026 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(a). (ECF No. 1.)

2. Plaintiff Valerie Jones (Plaintiff) initiated this action on 23 January 2026 with the filing of her *Verified Complaint and Motion for Temporary Restraining Order and Preliminary Injunction* (Complaint). (ECF No. 2 [Compl.]) In the Complaint, Plaintiff asserts claims against Defendant Bull and Bear Investments LLC (Defendant) for unlawful interference and coercion under the Fair Housing Act, voidable contract/duress, and unfair and deceptive trade practices. (Compl. ¶¶ 21–23.) Ten (10) days later, on 2 February 2026, Plaintiff filed a *Notice of Designation* (NOD) seeking designation of the action as a mandatory complex business case under N.C.G.S. § 7A-45.4(a)(1) and (a)(7). (See Notice Designation 1, ECF No. 3 [NOD].) Eight (8) days after filing the NOD, on 10 February 2026,

Plaintiff emailed, among others, various Business Court and Superior Court personnel and state agencies—including the North Carolina Real Estate Commission and Secretary of State—in an attempt to provide email notice of filing the NOD. On 12 February 2026, prior to the Court’s issuance of this Order on Designation, Defendant filed its *Opposition to Designation as Mandatory Complex Business Case*. (ECF No. 4 [Opp’n].)¹

3. Based on the record before the Court, it appears that this action arises out of a landlord-tenant dispute over residential real property located in Guilford County, North Carolina. According to Plaintiff, Defendant allegedly used “coercive and unlawful efforts to displace Plaintiff[,]” including threatened eviction and the forced execution of a short-term lease. (Compl. ¶ 1.) For both procedural and substantive reasons set forth below, this case has been improperly designated to the Business Court under N.C.G.S. § 7A-45.4(a).

4. N.C.G.S. § 7A-45.4(d)(1) states “[t]he Notice of Designation shall be filed . . . [b]y the plaintiff . . . contemporaneously with the filing of the complaint[.]” N.C.G.S. § 7A-45.4(d)(1). “The contemporaneous filing requirement of N.C.G.S. § 7A-45.4(d)(1) is mandatory.” *BITCO Gen. Ins. Corp. v. SAS Retail Servs., LLC*, 2024 NCBC LEXIS 89, at *1 (N.C. Super. Ct. July 3, 2024). As the NOD was filed ten (10) days after the Complaint, it is untimely. This matter is, therefore,

¹ The undersigned is informed that a motion to dismiss was filed by the Defendant in this action, which came before Judge Martin B. McGee in a hearing at a regularly scheduled session of the Guilford County Superior Court. Following the hearing, Judge McGee orally announced that the motion to dismiss would be granted and the case dismissed. (See Opp’n ¶¶ 5, 9, 11–12.) It appears from the docket in this action that no written order has been entered by Judge McGee as of the time of the entry of this Order on Designation.

not properly designated to the Business Court as a mandatory complex business case. *See Fortune Brands Innovations, Inc. v. Bleser*, 2025 NCBC LEXIS 139, at *2–3 (N.C. Super. Ct. Oct. 10, 2025) (determining designation was improper when notice of designation was filed one (1) day after filing the complaint) (collecting cases).

5. In addition, Plaintiff did not properly effectuate service under N.C.G.S. § 7A-45.4(c). The Business Court’s website provides explicit instructions on how to serve a notice of designation on the Chief Justice of the Supreme Court of North Carolina and the Chief Judge of the Business Court.² N.C.G.S. § 7A-45.4(c) is also mandatory and Plaintiff’s failure to comply with this provision provides another basis to conclude that the NOD is untimely.

6. Even if the NOD had been filed contemporaneously with the Complaint and properly—and timely—served, Plaintiff’s contention that this case is properly designated under N.C.G.S. § 7A-45.4(a)(1) and (a)(7) is misplaced. Plaintiff alleges that six (6) material issues provide the basis for designation under subsections (a)(1) and (a)(7). (NOD 1.) The Court disagrees.

7. Designation under subsection (a)(1) 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). Upon review of the Complaint, the law governing limited

² See *Designation Procedure*, www.nccourts.gov/courts/business-court/special-information-and-procedures-for-business-court (last visited Feb. 13, 2026).

liability companies is not implicated. (*See generally* Compl.) While Plaintiff contends “[t]his action involves material issues relating to . . . [t]he conduct and governance of multiple LLCs[,]” there is not a single governance issue raised in the Complaint. (NOD 1; *see generally* Compl.) Plaintiff also points to Defendant’s alleged bad acts— “[u]nlicensed real estate brokerage activity[,]” “[o]nline advertising and marketing of real property without a broker license[,]” “[c]ontract formation under duress[,]” “[u]nfair and deceptive trade practices involving business entities[,]” and “[m]isrepresentation of ownership and authority during an option period”—none of which implicate N.C.G.S. § 7A-45.4(a)(1). (NOD 1.)

8. Further, although Plaintiff claims designation is appropriate under N.C.G.S. § 7A-45.4(a)(7), subsection (a)(7) was repealed in October 2014. (*See* NOD 1.) Therefore, designation cannot be proper under subsection (a)(7).

9. 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) and thus shall not be assigned to a Special Superior Court Judge for Complex Business Cases.

10. Consistent with the Determination Order, the Court hereby advises the Senior Resident Superior Court Judge of Judicial District 24 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.

11. 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 February, 2026.

/s/ Michael L. Robinson

Michael L. Robinson
Chief Business Court Judge