

NORTH CAROLINA

FILED IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

CHATHAM COUNTY

2019 OCT 24 P 3:22

19 CVS 809

BARBARA CLARK PUGH; GENE
TERRELL BROOKS; THOMAS HENRY
CLEGG; THE WINNIE DAVIS CHAPTER
259 OF THE UNITED DAUGHTERS OF
THE CONFEDERACY,

Plaintiff,

vs.

KAREN HOWARD; MIKE DASHER;
DIANNA HALES; JIM CRAWFORD; and
ANDY WILKIE, in their official capacities
as members of the Board of County
Commissioners of Chatham County, North
Carolina,

Defendants.

AFFIDAVIT OF BARBARA CLARK PUGH

I, Barbara Clark Pugh, having been duly sworn hereby attests and avers as follows:

1. I am resident of Chatham County, North Carolina, over the age of 18 years of age and suffer from no mental or physical disability rendering me legally incompetent;
2. I am a co-plaintiff the above-entitled action.
3. I am the duly elected President of co-plaintiff, Winnie-Davis Chapter of the United Daughters of the Confederacy;
4. The Confederate Monument is a unique war memorial honoring the members of the Confederate Army, those members specifically from Chatham County who have made the ultimate sacrifice for the citizens of Chatham County;
5. The Confederate Monument is the res of the controversy existing between the Plaintiffs in this action and the Defendant members of the Chatham County Board of County Commissioners;
6. The Chatham County Board of County Commissioner ordered the Confederate Monument located on the Old Chatham Courthouse be immediately removed from the Old

Courthouse grounds where it has rested for over 112 years;

7. Upon information and belief, employees of Guy M. Turner, Inc., a heavy equipment moving company, were inspecting the Confederate Monument for its removal on October 23, 2019, the day this action for Declaratory Judgment and Temporary Restraining Order was filed;

8. The precipitous removal of the monument shall cause irreparable harm, thwart the intent of the Declaratory Judgment and deny the Plaintiff justice in this matter.

9. No amount of monetary relief is adequate to protect the interest of the party-plaintiffs and the taxpayers of Chatham County;

10. There is no compelling reason for the immediate removal of a 112 year fixture from the grounds of the historic Old Courthouse.


11. Failure to grant the Motion for Temporary Restraining Order would unfairly advantage the Defendants by granting them the benefit of their ultra vires action of ordering the removal of and removing the Confederate Monument.

12. Upon information and belief Plaintiff alleges and says that, in balancing the interests of the parties, the interests of justice will be best served by maintaining the status quo as it pertains to the monument pending further proceedings before the court.


13. The foregoing facts justify hearing the Motion for Temporary Restraining Order without notice to the Defendant County Commissioners.

Affiant sayeth further naught.

This the 24 day of October, 2019.


Barbara Clark Pugh, Affiant

SWORN TO BEFORE ME THIS
THE 24 DAY OF OCTOBER, 2019.



Notary Public

WILLIAM CRAWFORD
[Printed Name of Notary Public]

My Commission Expires: 08-14-24

William Crawford
NOTARY PUBLIC
Chatham County, NC
My Commission Expires August 14, 2024