

To Counsel and Unrepresented Parties in Pending Business Court Actions:

On 13 April 2020, the Honorable Cheri Beasley, Chief Justice of the Supreme Court of North Carolina, issued an Order extending the deadline established in her 19 March 2020 Order for affected filings and other acts from 17 April 2020 to 1 June 2020.

The Chief Justice's 13 April 2020 Order applies to all actions now pending in the North Carolina Business Court. Therefore, consistent with the Chief Justice's Order, this Court hereby orders as follows (*please note that subparagraph (v) below did not appear in this Court's 23 March 2020 Order*):

- (i) All pleadings, motions, briefs, notices, and other documents and papers that were or are due to be filed in any action currently pending in the North Carolina Business Court on or after 16 March 2020 and before the close of business on 1 June 2020 shall be timely filed if they are filed before the close of business on 1 June 2020.
- (ii) All other acts, including discovery, mediation, motions, and other case activity, that were or are due to be done in any action currently pending in the North Carolina Business Court on or after 16 March 2020 and before the close of business on 1 June 2020 shall be deemed to be timely done if they are done before the close of business on 1 June 2020.
- (iii) Absent consent of the parties, case management deadlines entered in any action pending in the North Carolina Business Court falling between 16 March 2020 and 1 June 2020 shall be automatically extended to the close of business on 1 June 2020, subject to modification to a later date by the assigned Business Court judge.
- (iv) Parties in any action currently pending in the North Carolina Business Court may, with the consent of the assigned Business Court judge, agree to an earlier deadline for filing any pleading, motion, notice, or other document or paper, or for taking any other act, that the Chief Justice's Order permits to be filed or taken by the close of business on 1 June 2020.
- (v) To ensure the prompt and efficient adjudication of all pending matters, counsel in all actions currently pending in the North Carolina Business Court are encouraged (but not required) to confer and advise the assigned Business Court judge concerning (a) any court filings or other case activity the parties agree may or will occur prior to 1 June 2020; (b) any videoconference or telephone hearing on any pending matter the parties agree may be held prior to 1 June 2020; and (c) any revised filing or case management deadlines to which the parties agree.

- (vi) Any filings made prior to 1 June 2020 must be made electronically through the Court's electronic-filing system as provided in Business Court Rule 3. The time for filing material listed in Rule 5(d) of the North Carolina Rules of Civil Procedure with the Clerk of Superior Court in the county of venue is extended by the Chief Justice's Order through and including 8 June 2020.
- (vii) There shall be no in-person hearings prior to 1 June 2020 in any action currently pending in the North Carolina Business Court. The assigned Business Court judge may, with the consent of the parties, continue to convene hearings and conferences via videoconference or telephone.
- (viii) Each Business Court judge assigned to a pending action in the North Carolina Business Court shall take all appropriate action to avoid imposing prejudice on any party arising from the public health threat posed by COVID-19.
- (ix) This Order may be altered or modified in response to any additional orders or directives that the Chief Justice may issue under N.C.G.S. § 7A-39(b) or as circumstances may otherwise warrant.

SO ORDERED, this the 14th day of April, 2020.

/s/ Louis A. Bledsoe, III
Louis A. Bledsoe, III
Chief Business Court Judge