

STATE OF NORTH CAROLINA

File No.

28CV000857-800

Rutherford County

In The General Court Of Justice
Superior Court Division

Name Of Plaintiff(s)

Second Mountain, LLC d/b/a Lured Market & Grill

VERSUS

Name Of Defendant(s)

Town of Lake Lure, a NC Municipality

Name And Address Of Mediator

Marvin P. Pope, Jr.

410 Mount Meadow Lane

Flag Pond, TN 37657

**REPORT OF
MEDIATOR IN SUPERIOR
COURT CIVIL ACTION**G.S. 7A-38.1; Rule 6(b)(4) of the Rules for Mediated
Settlement Conferences and Other Settlement
Procedures in Superior Court Civil Actions

Telephone No. Of Mediator

828-275-1007

Fax No. Of Mediator (if applicable)

1. The undersigned mediator reports the following results of a mediated settlement conference either

☐ ordered or ☒ voluntarily conducted in this case:a. Conference ☒ was held. ☐ was not held.

b. If held, date conference was completed: 08/14/2026

c. If not held, the reasons were:

2. If the case was reported settled prior to or during a recess of the conference, provide the name(s) of the person(s) who reported the case settled:

3. The parties reached an: ☐ agreement on all issues. ☐ agreement on some issues. ☒ impasse.4. ☐ If the case was settled, then, as required by MSC Rule 6(b)(4)(b), the mediator has advised the parties that MSC Rule 4(c) requires that closing documents be filed with the court within 30 days of settlement (or 90 days if a State or political subdivision is involved) or before expiration of the mediation deadline, whichever is longer. The following closing document is to be filed:a. ☐ consent judgment. ☐ voluntary dismissal with prejudice. ☐ voluntary dismissal without prejudice.

b. Name, address, email, and telephone number of party or attorney who is to file the closing document:

Name:

Address:

Telephone number: () - Email Address:

5. If a mediated settlement conference was held and a partial agreement was reached, state the claims for relief that were resolved.

6. If a mediated settlement conference was held and a partial agreement was reached, state the names of any parties that have no claims remaining for trial.

7. Names of those who attended the conference:

Name	Affiliation (e.g., party, attorney, insurance company representative, lienholder, or other)
Paul Brock	Owner of Plaintiff
Cara Brock	Owner of Plaintiff
Ed Bleynat	Attorney for Plaintiff
Olivia Stewman	Town Manager of Defendant Town

Original-File Copy-Senior Resident Superior Court Judge or his/her designee Copy-Plaintiff Copy-Defendant
(Over)

AOC-CV-813, Rev. 5/23

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