

STATE OF NORTH CAROLINA
COUNTY OF RUTHERFORD

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 26CV000857-800

SECOND MOUNTAIN, LLC
d/b/a Lured Market & Grill,

Plaintiff,

v.

TOWN OF LAKE LURE, a
municipality,

Defendant.

**MOTION FOR EXTENSION OF
TIME TO RESPOND TO
COMPLAINT AND REQUEST FOR
JURY TRIAL**

NOW COMES Defendant, TOWN OF LAKE LURE, a municipality (hereinafter "Lake Lure"), by and through undersigned counsel, and hereby moves the Court for a thirty (30) day extension of time in which to respond to Plaintiff's Complaint and Request for Jury Trial, hereinafter, the "Complaint"). In support of this Motion, Lake Lure respectfully shows unto the Court as follows:

1. That Lake Lure was served with a copy of the Complaint on or about June 5th, 2026.
2. That the time for Lake Lure to respond to the Complaint has not yet expired; and
3. That Lake Lure requires additional time in which to obtain the necessary information to respond to the Complaint.
4. That Lake Lure requests an additional thirty (30) days within which to respond

and would therefore be due on August 5th, 2026.

5. WHEREFORE, Lake Lure respectfully requests that the Court enter an Order extending the time to respond by an additional thirty (30) days to the Complaint, through and including August 5th, 2026.

THIS the 29th day of June, 2026.

ALLEN STAHL + KILBOURNE, PLLC

/s/ *Marty Benson*

Marty Benson

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Attorneys for Town of Lake Lure

CERTIFICATE OF SERVICE

I hereby certify that on June 29th, 2026, I electronically filed the foregoing with the Clerk of Court using the Odyssey System which will send notification to the email addresses on record with the Court. I further certify that the undersigned has this date served a copy of the foregoing upon all parties by electronic mail as follows:

Ferikes Bleynat & Cannon, PLLC

Attn: Edward L. Bleynat, Jr.

ed@ashevillelitigators.com

THIS the 29th day of June, 2026.

ALLEN STAHL + KILBOURNE, PLLC

/s/ Marty Benson _____

Marty Benson

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