

NORTH CAROLINA GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

BETHANN PRATTE and
JAMES MOORE,

Plaintiffs,

vs.

SOUTHERN PINES LAND AND
HOUSING TRUST, INC.,

Defendant.

MOORE COUNTY
21 CVS 1492

TRANSCRIPT, Volume 2 of 2
Thursday, February 24, 2022

Moore County Civil Superior Court

February 17, 2022 Session

The Honorable James M. Webb, Judge Presiding
Hearing

APPEARANCES:

D. Landon White, Esquire
Landon White Law
211 New Bern Place
Raleigh, North Carolina 27601
on behalf of the Plaintiffs

Thomas M. Van Camp, Esquire
Van Camp, Meacham & Newman, PLLC
Two Regional Circle
Pinehurst, North Carolina 28374
on behalf of the Defendant

Geralyn M. LaGrange, RPR
Official Court Reporter
Post Office Box 2434
High Point, North Carolina 27261
(336) 822-6820
jlegrangel@triad.rr.com

I N D E XWITNESSES

<u>ON BEHALF OF PLAINTIFFS:</u>	<u>Direct</u>	<u>Cross</u>	<u>Redir.</u>	<u>Recross</u>	<u>Exam.</u>
Bethann Pratte	112	116	141	152	148

EXHIBITSON BEHALF OF DEFENDANT:

<u>No.</u>	<u>Description</u>	<u>Marked</u>
6 - 8	Facebook Posts	138
9	Photographs	138

1 (Thereupon, the following proceedings were
2 held on Thursday, February 24, 2022, at
3 10:00 a.m.)

4 THE COURT: All right. This is a continuation of
5 the hearing of the Southern Pines Land and Housing Trust,
6 Inc.'s, motion for sanctions since last Monday, the 21st of
7 February, 2022.

8 I understand, Mr. Van Camp, there's been additional
9 filings; is that correct?

10 MR. VAN CAMP: There was -- I was not aware that
11 Mr. Birath's affidavit and exhibits had not made it to the
12 file because it was, I guess, going to be presented by the
13 school board attorney on that morning of December 16th and
14 was not submitted because Mr. White advised us before
15 calendar call he was taking a dismissal without prejudice.

16 So having determined that and having referenced it
17 thought it was important just to show that kind of the --
18 the history of the meetings and -- and -- and the bidding
19 and had all those emails attached from the bidder. So that
20 was -- was submitted.

21 And then at the court's request I sent a letter to
22 the court, which I would ask to be filed, addressing a few
23 other issues including, you know, what -- what other
24 allegations of the complaint we took issue with which are
25 all of them but I pointed out a few.

1 And I do have, Your Honor, for filing today other
2 than the witness a supplemental affidavit -- affidavit of
3 mine. I had forgotten that I actually prepared two briefs
4 in opposition to the -- the motion for preliminary
5 injunction. I assumed that maybe Mr. White would take a
6 dismissal.

7 So one of the briefs, which is the one that got
8 filed, only addressed the mootness issue because -- so I
9 have just a very brief affidavit. It just includes the
10 other -- the other brief as far as the -- to go with the
11 attorney fees affidavit I filed.

12 So at the --

13 THE COURT: You have that to file at this time?

14 MR. VAN CAMP: Yes.

15 THE COURT: All right. Allowed.

16 MR. VAN CAMP: And other than that, I -- I have
17 some questions for the witness but that's --

18 THE COURT: All right.

19 All right. As I understand it, Mr. White, you
20 desire to recall Ms. Pratte?

21 MR. WHITE: That's correct, Your Honor.

22 THE COURT: All right. Ms. Pratte, if you would
23 come back to the witness stand. I remind you, you are still
24 under oath.

25 BETHANN PRATTE

1 having been previously affirmed testified as follows:

2 THE WITNESS: Thank you.

3 THE COURT: Ready?

4 THE WITNESS: Yes, sir.

5 THE COURT: All right. Go right ahead, Mr. White.

6 MR. WHITE: Thank you, Your Honor.

7 DIRECT EXAMINATION by Mr. White:

8 Q. Ms. Pratte, you recall that you were in here
9 testifying in this matter earlier this week on Monday,
10 January 21st?

11 THE COURT REPORTER: Could you use the microphone
12 please?

13 A. Yes, sir.

14 Q. And after -- after your testimony on Monday did you
15 reach out to -- reach out to me concerning that testimony?

16 A. Yes, sir.

17 Q. And do you recall when -- when that was?

18 A. I believe it was the next morning.

19 Q. And what was -- what was the reason for reaching
20 out to me over that testimony?

21 A. The reason was, as I was listening to Mr. Van
22 Camp's -- I don't know if you call it closing arguments,
23 again, he used a term that I used during testimony, the --
24 the word common knowledge. And I don't think that that was
25 the best word choice.

1 So I wanted to -- it should have just been knowledge,
2 not common knowledge. Because common knowledge implies that
3 a vast number of people know. And that may be an assumption
4 of mine but I should not be stating that in court.

5 Q. And so --

6 A. That was really it.

7 Q. -- you felt like the -- your choice of words as it
8 related to that didn't accurately reflect your knowledge.

9 Is that fair to say?

10 A. Well, when I was explaining and answering Mr. Van
11 Camp's question about reading the complaint, I had commented
12 that it didn't, you know, shock me, it didn't surprise me.
13 So I -- I had knowledge of that.

14 And to use the word common -- that I thought it was
15 common knowledge meant that -- to me, the word common
16 knowledge means that everybody knows. And I don't know who
17 knows and who -- who doesn't know.

18 So I just didn't -- I didn't want it to -- to come
19 across as he was the talk of the town because that was not
20 the case.

21 Q. Was it important -- why is it -- well, let me
22 rephrase.

23 Why is it important for you to bring this to my
24 attention and ask for an opportunity to address that use of
25 words?

1 A. It's very important to me. I -- I'm a --

2 THE COURT REPORTER: I'm sorry, I'm a what?

3 A. Flawed -- flawed follower of Christ. And with that
4 said, when I misspeak or if I feel like I can express myself
5 better, I need to make that correction.

6 So it was purely for me in my -- my duties as a, you
7 know, my conscience, my duties as a Christian because the
8 words did not accurately portray what my mind was trying to
9 get out. That's it.

10 Q. Did -- have you reflected on the entirety of your
11 testimony from Monday, between now and Monday?

12 A. Oh, I do that with -- every time I speak in public
13 at a rally, a conference, I dissect everything I say. So
14 it's not uncommon for me to do that from Monday's testimony.

15 Q. And the -- and -- and you understand the importance
16 of -- of being accurate with your -- your testimony and your
17 choice of words?

18 A. Absolutely. I mean, and I do it to the best of my
19 ability all the time whether I'm under oath or not.

20 Q. Is there any, having reflected on Monday, is there
21 anything else that you'd like to address in your testimony?

22 A. No, sir.

23 Q. Is there anything else you'd like to say as it
24 relates to what you wanted to -- to tell the court to make
25 sure that you're representing what you have to say as

1 accurately as possible?

2 A. Could you please clarify that?

3 I mean, my overall intent or --

4 Q. Well, yes, ma'am.

5 And I'm not trying to -- to trick you or lead you on to
6 anything. I just want to make sure that you know and feel
7 that you have the opportunity to discuss whatever you want
8 to discuss now that we have this opportunity to --

9 A. Right.

10 Q. -- Judge Webb has given us this opportunity to come
11 back into court and testify to things. So I just want to
12 make sure you take -- take --

13 A. I just want to reiterate that my intent was to
14 exercise my rights and to hold elected officials
15 accountable, because there have -- they have not been. And
16 it has nothing to do with Mr. Van Camp or the Southern Pines
17 Land Trust. It's solely -- you know, I -- I feel like I'm
18 not just representing myself but the -- the community.

19 We -- we need to have law and order. And we have laws
20 for a reason. And a school board, whether the majority
21 agrees with the law or not it should not impact the
22 decision. So that's why I'm involved.

23 And it appears that our -- that this whole part has to
24 do with something that I am unaware about and that's about
25 it. It's -- it's about holding the school board

1 accountable. Nothing to do with Mr. Van Camp or the
2 Southern Pines Land Trust.

3 Q. When -- and, more specifically, beyond the -- so
4 beyond clarifying -- I guess, I -- I just want to make sure
5 that you reflected on -- on what you said on Monday.

6 You had a -- didn't feel like the choice of words as it
7 relates to the -- the common knowledge, as you came in here
8 and addressed today, didn't feel like that accurately
9 represented what you meant or felt then and now.

10 Is there anything else that you feel like you did not
11 accurately represent on Monday that you feel like you need,
12 having reflected, feel like you need to clarify now that --
13 that we have the opportunity to do so today?

14 A. No, sir.

15 Q. Thank you, Ms. Pratte.

16 MR. WHITE: Your Honor, I don't believe I have any
17 further questions.

18 THE COURT: All right. Mr. Van Camp.

19 CROSS-EXAMINATION by Mr. Van Camp:

20 Q. Ms. Pratte, just so I'm clear, the -- the common
21 knowledge that you're referring to is when you testified
22 that it was common knowledge that a phone conversation took
23 place between myself and Mr. Maser; is that correct?

24 A. The, again, the knowledge like --

25 Q. I mean, that was the -- that was the -- the

1 knowledge piece, whether it's knowledge or common knowledge,
2 was that -- that a phone call took place?

3 A. To be more accurate, my knowledge was that you had
4 a conversation with a bidder. I had no idea who. And I'm
5 not -- yeah.

6 So it wasn't a phone call. I never heard the word
7 pressure. I just -- I had the knowledge that you had
8 contacted a bidder.

9 Q. Tell me what the source of that knowledge -- who
10 told you that I had contacted a bidder?

11 A. And I have been trying to rack my brain to find out
12 like, I -- I do not -- I do not know. I'm involved, as I
13 said numerous times, in many groups. Parents, people of the
14 community email me, call me about various issues with Moore
15 County schools. I was in four meetings yesterday about
16 various issues. I'm going to many meetings today.

17 Standing outside the school at a rally things are said.
18 I -- I truly -- and I, you know, I have been racking my
19 brain to see when I had that knowledge and I cannot tell
20 you. There's a lot of things I know that I don't know how I
21 know and that's one of them.

22 And, honestly, Mr. Van Camp, in reading that complaint
23 and seeing that in there, because I had knowledge, it didn't
24 surprise me, it didn't shock me. I just sort of glossed
25 over it because I didn't think that that was a big deal,

1 that it was not about you at all. It wasn't about attacking
2 you. I was focused on the school.

3 And so if I thought that was a big deal, I would have
4 probably been seeking out more information about that. But
5 that was really not even on my radar because it's about our
6 elected officials and holding them accountable, sir.

7 Q. Were you aware that pressuring bidders to withdraw
8 bids or adjust bids or make bids is a felony crime in the
9 State of North Carolina?

10 Were you aware of that when you signed the complaint?

11 A. I was not aware of that, but I was -- I had
12 knowledge that a conversation occurred. And I felt that if
13 you were seeking truth, that you would have whoever it is
14 that you spoke with, because obviously it's either you or
15 the other person, come and testify and be cross-examined.

16 You wanted to know where that got out. As we know,
17 people tend to -- to talk and things get twisted. But,
18 again, I just had knowledge of the conversation.

19 Q. And is it fair to say nobody to this day has
20 informed you that they have any knowledge or information
21 based upon any reasonable inquiry that I ever pressured a
22 bidder at any time during this entire land trust purchase
23 process?

24 A. Well, here we go back -- and this is why I'm here
25 today because words matter. And the word common knowledge

1 is definitely different than just knowledge.

2 The word pressure and listening to your closing
3 statements to Judge Webb, it appears that the word pressure
4 is really what you take issue with, and that is a subjective
5 term.

6 And so by -- I just -- having knowledge that there was
7 a conversation, I can't tell you how the other person felt.
8 And I don't know who -- how the information has leaked out.
9 And I think you're trying to find out who leaked that
10 information and I don't have that answer for you.

11 Q. Well, my --

12 A. No.

13 Q. -- my question is did anybody tell you prior to you
14 signing the complaint that not only did Mr. Van Camp have a
15 discussion with a bidder but that he pressured the bidder to
16 not bid or withdraw a bid?

17 Did anyone tell you that?

18 A. I did not hear you had pressured. But, again,
19 that's, I guess, a subjective term and that was not really
20 my focus on signing onto the complaint.

21 THE COURT: Say that -- say that last part again.

22 A. Sorry.

23 That was not my focus in signing onto the complaint.

24 So in hindsight if I would have honed in on that word
25 pressured, I may have said something, like, you know,

1 whenever you're writing you need to take out subjective
2 words but --

3 MR. VAN CAMP: May I approach, Your Honor?

4 THE COURT: Allowed.

5 Q. I'll show you, Ms. Pratte, what we've marked as
6 Exhibit 2 since you've made reference to the -- the bidder.
7 That is an affidavit, I'll represent, from -- from
8 Mr. Maser.

9 Have you ever seen that document before?

10 A. No, sir.

11 THE COURT: Say again.

12 A. No, sir.

13 Q. That document was filed on December 13, 2021.

14 Do you see that stamp at the top?

15 A. Yes, sir.

16 Q. So two and a half months ago Mr. Maser, the -- the
17 bidder that I was alleged to have been pressuring, filed an
18 affidavit -- signed an affidavit under oath and then it was
19 filed with the court.

20 And in paragraph three of the complaint he states that
21 at no time did Thomas Van Camp pressure me not to bid on the
22 Southern Pines Primary School or request that I not bid on
23 the property. At no time did Mr. Van Camp pressure me to
24 withdraw any offer to purchase the property.

25 Do you see that?

1 A. Yes, sir. I also see the date of December the
2 13th. When I signed the -- the complaint it was in
3 November. So I did not have this.

4 And, again, I'm not sure why Mr. Maser was not called
5 to provide testimony so he could be cross-examined.
6 Because, you know, today I was just going to do an affidavit
7 to correct my verbiage but obviously being here is more
8 important.

9 Q. So you think Mr. Maser is lying, is that it?

10 A. Don't put words in my mouth.

11 Q. Okay.

12 A. That's not what I just said.

13 Q. Okay.

14 A. I just said you get a more rich conversation and
15 you get to understand the backstory. I'm not implying that
16 Mr. Maser -- like, please have that on record. I'm not
17 implying to anyone. I'm just saying the date is December
18 the 13th. I signed on November the 8th.

19 Q. When you testified earlier with respect to your
20 common knowledge issue that you like to correct your
21 mistakes -- so I'm wondering if you considered correcting
22 the mistake about the allegations of paragraphs 59, 99, and
23 120 in the complaint regarding me pressuring a bidder,
24 whether you considered correcting that testimony or at
25 least -- well, it is testimony, it's a verified complaint --

1 prior to today having had two months and a week or so pass?

2 A. I am not that aware of court procedures. The case
3 was dismissed. So I did not even think of that.

4 And maybe -- maybe that word pressure should be
5 stricken -- is that the correct term? -- stricken from the
6 complaint.

7 Q. Did you know that on November 12, 2021, four days
8 after the complaint was filed, I wrote a letter to your
9 attorney specifically requesting him to have the decency to
10 do precisely that and to amend his complaint to remove that
11 false allegation?

12 Are you aware of that?

13 A. I am not aware of that. But, again, it appears
14 that this affidavit only came in December the 13th.

15 MR. VAN CAMP: May I approach, Your Honor?

16 THE COURT: Allowed.

17 THE WITNESS: I'm just adding to the stack.

18 THE COURT: It may already -- it's already in the
19 stack.

20 MR. VAN CAMP: Just for ease of convenience --

21 THE COURT: Eight inches thick.

22 THE WITNESS: Okay.

23 Q. That's Exhibit 3.

24 Have you -- have you ever seen that letter that I wrote
25 to Mr. White?

1 A. Not to my recollection. To be honest, things could
2 have been emailed to me but I did not open. I'm not the
3 best with that. But I don't recall seeing this.

4 Q. If you'd turn to the second page of the letter, the
5 last paragraph.

6 Do you see where I have respectfully request that
7 Mr. White contact Mr. Maser to obtain accurate information
8 which should have been done under Rule 11 of the North
9 Carolina Rules of Civil Procedure prior to filing the
10 verified complaint and then after his discussion with
11 Mr. Maser I'm sure you will conclude that the allegations
12 contained in paragraphs 59 and are repeated in paragraphs 99
13 and 120 should be removed as there's no information upon
14 which to believe that I pressured Mr. Maser to withdraw his
15 bid?

16 And then I go on to give -- unbeknownst to me I didn't
17 know that he was representing Mr. Maser. So I gave your
18 attorney Mr. Maser's cell number to call him to confirm
19 that.

20 This letter was never provided to you shortly after
21 the -- after the complaint was filed.

22 Is that your testimony?

23 A. No, sir. And, actually, you know, in learning some
24 of this stuff today actually would have more questions and
25 more -- more questions that I would have asked Mr. White.

1 Because if you're representing a land trust free to be
2 contacting other bidders, shouldn't you have been contacting
3 the school or -- I don't know, it -- it just seems out of --
4 out of custom to -- for you to be contacting them since
5 you're representing a bidder. And, again, it's not about
6 you. It's about the school district.

7 Q. My client was never a bidder. He just wanted to
8 purchase the property. He never made a bid.

9 A. Oh, I thought -- I thought I read the word bidder
10 in some of these documents.

11 Q. That would be Mr. Jackson and Mr. Maser wrote
12 emails. I don't know what you -- what you consider them,
13 but they -- they expressed an interest.

14 Let me ask you, when was the first time that you -- and
15 I don't want to know anything that was discussed.

16 But when was the first time that you and Mr. White
17 discussed filing a lawsuit to prevent the sale to the land
18 trust?

19 A. I couldn't honestly answer that question because
20 Mr. White and I were in contact, I believe -- I mean, it was
21 late summer and it was over various issues that the schools,
22 in my opinion, were violating laws and the land trust was
23 one of them.

24 So I -- I can't give you an exact date as far as the
25 actual case because, I guess, discussing the land trust and

1 the case are two separate things.

2 Q. I'm talking about discussing and actually filing a
3 lawsuit to prevent the sale.

4 When was that --

5 A. That would have been shortly before it was filed.
6 I can't give you --

7 Q. And -- and since the lawsuit was filed on November
8 8, 2021, have you reviewed the trust's motion to intervene
9 in the case?

10 A. No, sir. Since November my personal life -- I was
11 in Florida twice in the fall and then I was there from the
12 beginning of January until just recently dealing with family
13 issues. So, unfortunately, the case was not my top
14 priority.

15 Q. Have you reviewed since November 8 up to today the
16 land trust's motion to dismiss on the grounds that you lack
17 standing in their brief?

18 A. I did not read that. Again, I'm not sure how I
19 lacked standing, but that's a discussion I'll have to have
20 with Mr. White.

21 Q. Did you or have you reviewed the trust's motion to
22 dismiss the lis pendens in the trust brief regarding that
23 issue?

24 A. You're speaking a different language for me, but
25 obviously I did not.

1 Q. And have you reviewed the trust's motion for
2 sanctions against you?

3 Have you reviewed that document at all prior to today?

4 A. No, sir. I've been consumed with my family and
5 that takes precedence. But Mr. White has been making phone
6 calls and keeping me abreast of occurrences.

7 Q. And the brief and 11 affidavits that the trust
8 filed in response to Mr. White and your and Mr. Moore's
9 motion for a preliminary injunction, have you reviewed those
10 documents?

11 A. No, sir, because, again, I'm just really confused
12 how this has all turned to be about the trust and you
13 considering Mr. Moore and myself filed against the Moore
14 County School Board.

15 They're elected officials. They have violated their
16 oath. And our only recourse, which is guaranteed to us, our
17 only recourse was the ballot box or filing a suit. I was
18 advised that many times. And after redress, after emails,
19 after pleading with them on countless issues the Southern
20 Pines Land Trust is just one of them.

21 The other ones are much more important as far as our
22 safety of our children: Sexual assaults in school, fights.
23 The list goes on and on and on. And as a teacher, as a
24 mother, we need to do something to rein in the school board
25 as they violate the laws and fail to protect our children.

1 They have broken their oath and they should not even be in
2 office according to the constitution of North Carolina.

3 Where is accountability held?

4 Mr. Van Camp, I don't -- I don't know what else I
5 could have done. This was just sort of the last straw or
6 the -- the -- the straw that was the -- the closest.
7 Because we can't wait for November.

8 Our children are being assaulted, they're being taught
9 sexually pornographic information, our kids are not safe in
10 school. We have got to rein in that school board. This
11 entire thing is turned to -- it's about the land trust and
12 you and that is not the case. I cannot say that enough.

13 So I'm not sure what -- you know, the -- the documents
14 about the land trust and everything is not a huge concern.

15 My concern is how are we -- like, I feel that they --
16 the actions that you're taking to try to sanction citizens
17 for standing up for our constitutional rights to -- to sue
18 an elected body for violating the law and knowingly
19 violating the law -- we can't mince words here.

20 By your actions you're just creating more hesitancy for
21 parents and citizens to stand up to elected officials who
22 fail to protect their children, allow our children to be the
23 subject, allow them to be raped in school.

24 And even though the one that came before the -- this
25 court, when I read the briefs that you wrote, the complaint,

1 Mr. Van Camp, which was very well-written, in that complaint
2 on the LP case it showed that that person had raped another
3 child, gotten her pregnant, and the school moved her to
4 another high school.

5 How is that solving the problem?

6 Right there and then it's a violation of federal,
7 state -- many laws. And then it says that they destroyed
8 records. I mean, like, this is not just about the land
9 trust.

10 This is about getting elected officials in who truly
11 care about our children, who truly respect the law, that
12 they don't look for loopholes, that they are respecting the
13 law, they're being transparent with us.

14 They're still not transparent about the Aberdeen sale
15 where I believe there's toxic soil there and it's not safe
16 for our kids to be there. There's no transparency, that
17 these actions, I feel, are very serious.

18 It's not about me. It's not about me, because I did
19 nothing wrong. I didn't break any law. I didn't -- I
20 committed no crime.

21 This is about me as a citizen of Moore County standing
22 up for our children. So what did -- I'm looking to you to
23 say what should I have done differently.

24 Q. Have you filed a lawsuit regarding whatever issues
25 you have with the Aberdeens?

1 A. No, sir.

2 Q. And have you filed a lawsuit against the Moore
3 County School Board regarding any activities that you
4 believe to be unconstitutional, illegal, other than this
5 lawsuit?

6 A. No, sir. But I can tell you I have been spending
7 night and day for months researching. And we've contacted
8 attorneys. And that's why I'm in the various groups.
9 Because every group has a different issue that they're
10 trying to get corrected.

11 And so -- and I don't plan to be filing any suits. I
12 like to be in the back doing the research and pushing it to
13 the attorneys. So I don't know what other actions I could
14 have had. It was not about the land trust, it's not about
15 you.

16 Q. The lawsuit, though -- you've just gone through a
17 huge litany of some of your issues with the school board,
18 but none of those are part of this complaint that you -- you
19 verified and signed, correct?

20 A. Correct. I was just giving context because this is
21 just another example. All the school board had to do was
22 take that -- the 12 acres and put it out for open bid. Very
23 simple. I'm not sure why that didn't happen.

24 If -- if the school board did that, whether you thought
25 it had to be or not, if the school board did that we would

1 not be here today and there wouldn't have been a suit.

2 And I know you don't represent the school board, but
3 I'm not -- like, maybe the -- the people who voted for that
4 should be before here testifying as to why they're violating
5 laws.

6 Q. Have you read N.C. Gen. Stat. Section 160A-269
7 which out -- which outlines the effect of our opening bid
8 process in North Carolina for public schools to sell
9 property?

10 A. No, sir, but I know Mr. White did it and we --
11 we've talked about it.

12 Q. Do you know that in order to initiate that bid
13 process where it keeps getting up to so you can -- can
14 challenge it and raise it, you have to first have an initial
15 bid by a third party?

16 Are you aware of that?

17 A. I'm not aware of that but I'm not sure that all
18 counsel agree with that.

19 Q. Okay. And so are you aware of any initial official
20 bid that was made on the 12 acres after the school board
21 elected to only sell the 5 acres to the trust that would
22 have started that bid process?

23 A. I'm not aware of -- of -- of bidders. I heard that
24 there were people interested in the property. And I'm not
25 sure how the school board or why the school board would want

1 to go ahead and just sell 12 acres, because there could have
2 been many -- many more people interested in that property.

3 Q. How is the property zoned?

4 A. I don't know.

5 Q. And were you --

6 A. There's a lot I don't know about all the other
7 cases too. But when there's a lot of red flags you have to
8 investigate. And so we had counsel do that investigating.

9 Q. Do you -- well, were you familiar with the issue
10 with the boiler that -- that came up; that there was
11 actually a boiler on the 5-acre site that served the 12-acre
12 site and a boiler on the 12-acre site that served the
13 buildings on the 5-acre site that -- that -- that came about
14 after the school board elected to sell the 5 acres to the
15 trust?

16 A. I was not aware of that. But I'm not sure if that
17 would then allow the laws to be changed. Because I think
18 the law -- it doesn't matter where the boilers are. I think
19 the law on bidding stays the same.

20 Q. What -- what is the law on bidding?

21 A. It is -- I'm -- I'm not an attorney, as you know.
22 And I did not research this case as in-depth as all the
23 other cases I have. That's why I have -- he's a policy
24 attorney. I know what I don't know. And so I know who to
25 ask. But I do know that it needed to go to open bid because

1 that -- the 12 acres had no historical significance.

2 Q. And have you reviewed the -- the affidavits at all
3 from all the folks at West Southern Pines about how those
4 properties have been used over the years historically,
5 culturally, naturally to be able to render this opinion that
6 you just did, that the 12 acres in West Southern Pines has
7 no historical significance?

8 MR. WHITE: Your Honor, I'm going to object to the
9 line of questioning of Ms. Pratte on the -- the nature of
10 the historical significance and the legal points. She's a
11 lay witness. She's without specialized knowledge as to what
12 qualifies as historical significance under 160A-266.

13 I think she'd be fine to speak to what her opinion
14 is of the property significance, the West Southern Pines
15 community or Southern Pines community, generally speaking.
16 But as it relates to the significance of a legal
17 qualification, I think that it is beyond Ms. Pratte's
18 knowledge.

19 THE COURT: Objection.

20 You may answer the question if you have an opinion.

21 A. If I have an opinion.

22 Okay. Well --

23 MR. WHITE: Your Honor, was that sustained or
24 overruled?

25 I just heard objection.

1 THE COURT: Your objection is overruled.

2 MR. WHITE: Thank you, Your Honor.

3 THE COURT: And -- and I've instructed the witness
4 she may answer if she has an opinion.

5 Q. You -- you rendered an opinion that it had no
6 historical -- and I -- so my question was, have you done any
7 research or read any of these affidavits to determine how
8 that 12 acres was actually used over the last 67 years?

9 A. I do not feel as an expert that I can testify
10 against that. But I believe that there are legal guidelines
11 that lay out what is considered historically significant.

12 And I know years ago I was working on another place in
13 Southern Pines about being historically significant and it
14 is subjective.

15 So there are many people that could write that they
16 believe a place is historically significant. I'm not sure
17 if it rises to the level of the definition that's -- that is
18 in the law. But I'm -- I'm ignorant with that, and that's
19 just my opinion.

20 Q. Did you -- let me strike that.

21 Do you support Mr. Hensley's comments about any sale to
22 the trust would be akin to a crack deal?

23 A. No -- no, sir.

24 Q. And --

25 A. Again, I have nothing against Southern Pines Land

1 Trust. In fact, I -- I was wanting to do this beforehand.
2 But this morning I had a conversation with a gentleman
3 offering if they want to do a reading clinic there, offering
4 my services pro bono.

5 So I have -- I mean, it has nothing to do with the
6 people who are trying to bring that about, that what
7 Mr. Hensley says is not what I agree with.

8 Q. Okay.

9 MR. VAN CAMP: May I approach, Your Honor?

10 THE COURT: Allowed.

11 Q. Ms. Pratte, I'm going to hand you what we've marked
12 as Exhibits 4 and 5.

13 We'll look at Number 4 first. It's a letter from your
14 attorney Mr. White on August 9, 2021, to Mr. Ramee, an
15 attorney for the school board.

16 And if you'll -- have you ever seen this letter before?

17 A. No, sir.

18 Q. If you look at the second paragraph of that letter
19 on the first page it says, I represent a client who is
20 concerned with the proposed sale, et cetera.

21 Was that client you back in August, August 9th of 2021,
22 or somebody else?

23 A. It was not me.

24 Q. Okay. Do you know who it was?

25 A. No, sir.

1 Q. And if you look at Exhibit 5, September 30, 2021,
2 letter, at the very last page Mr. White states that the
3 sale's unlawful and would subject the Moore County Board of
4 Education to numerous claims for relief in litigation.

5 With respect to litigation, do you know whether or not
6 you were -- had retained at that point September 30, 2021,
7 Mr. White to initiate any litigation?

8 A. Can you say this again?

9 I'm trying to read it.

10 You said the last paragraph?

11 Q. Yes, where he refers to litigation.

12 Was -- is -- would you have been the client -- his
13 client at that point in time, September 30, 2021, who may
14 initiate litigation?

15 A. I don't believe so, sir.

16 Q. Do you know who it was?

17 A. No, sir.

18 Q. Now, were you -- if you look at the -- Exhibit 4,
19 which is the August 9th letter, and you look at Exhibit 5,
20 which is September 20th letter, and then you look at the
21 verified complaint, which is filed on November 8, 2021,
22 every one of those documents was either served on the school
23 board or filed on the day, sometimes just hours before the
24 school board was about to vote on the critical issue
25 relating to the -- the land trust.

1 My question to you is, was there, as part of these
2 groups that -- that you've been talking about, was there a
3 strategy that you're aware of that was employed to try to
4 scare or, we'll use that word, pressure the school board to
5 not vote or change their mind based on the timing of these
6 documents being submitted?

7 A. Absolutely not. Actually, the various groups that
8 I'm involved in none of them had to do with the Southern
9 Pines Land Trust. One -- I mean, I can go through the
10 topics of each of the groups if you want.

11 Q. But you -- you -- in your discussions at rallies
12 and whatnot there's -- you've never heard anybody talk
13 about --

14 A. Well, people talk.

15 Q. -- let's -- let's time this letter or let's time
16 this complaint to throw a wrench in -- in the voting to
17 scare the school board from approving a sale to the -- to
18 the trust?

19 A. I understand your question.

20 The groups that I'm involved in, I should say, they're
21 objective. It has nothing to do with the -- the Southern
22 Pines Land Trust.

23 But standing around at rallies, you know, in various
24 groups the topic came up but never did anyone ever scheme or
25 plot to try to -- what -- what were your words? --

1 intimidate --

2 Q. The strategy that was employed.

3 A. There was never a strategy, a collective strategy.
4 There was never a conversation. Like, my only conversations
5 about this case was to Mr. White.

6 Q. I don't want to know what they are.

7 A. Yeah.

8 Q. Attorney/client privilege. So --

9 A. So -- and personally just viewing the personalities
10 on the board, it would be hard-pressed for me to see that a
11 suit would pressure them or make them change their
12 decisions. They seemed pretty lockstep in always voting 4-3
13 no matter what the issue is. So I don't think a hundred
14 suits would impact them because they are drunk on power --

15 Q. Do you --

16 A. -- in my opinion.

17 Q. Do you recall at one of the school board meetings
18 in the fall telling the -- those four members "we are coming
19 for you"?

20 A. I never said that, did I?

21 I never -- like, I -- I don't think I would have ever
22 said that.

23 Q. Okay.

24 A. That does not -- I'm not going to say I didn't, but
25 that does not sound like something that would come out of my

1 mouth.

2 Q. And do you have plans or have you talked with
3 anyone about running for the school board?

4 A. I have been asked by many people, but I have no
5 plans in getting into politics at this time.

6 Q. Okay.

7 MR. VAN CAMP: Your Honor, may I approach one last
8 time?

9 THE COURT: Yes, sir.

10 Q. I'm going to show you what we marked as Exhibits 6,
11 7, and 8. They appear to be some Facebook posts of yours.
12 I'm not going to spend a lot of time on them, and then
13 Exhibit 9 we'll get to in a second.

14 Are those -- and -- and let me preface this by saying,
15 I understand you have issues with the school board regarding
16 lots of other things. I'm not concerned with -- with any of
17 those. But -- so I'm -- I'm not showing these to you to
18 then ask you questions about whether you're right or wrong.

19 I just want to know if those are posts that you made
20 regarding some of your issues with the school board.

21 A. Absolutely. And this has absolutely nothing to do
22 with today.

23 Q. It doesn't.

24 It has to do with your other issues that you were upset
25 with the school board about?

1 A. Right, and actually has to do with another case.
2 So I don't want to discuss these today.

3 Q. No, and I'm not going to ask you to. I just wanted
4 to -- now, Exhibit 9 --

5 A. But it would be interesting if -- you know -- over
6 a cup of coffee if you agreed with me or not.

7 Q. I'm not a scientist. People come to lawyers to get
8 legal advice, as you've said. So what's -- what's the
9 safest and best way, I -- I -- I defer to the experts and
10 I'm not one of them.

11 So I'm going to ask you to -- to take a look at Exhibit
12 9 and go to the second and third page.

13 The building on the right there, and then it's blown up
14 on the third page, is that the location where you went to
15 sign the verified complaint?

16 A. The one on -- I'm sorry?

17 Q. On the right. The one on the left is Hurley
18 Thompson's office. It's part of the Sandhills Law Group.
19 The one on -- I mean -- on the left, rather. The one on the
20 right, the small one, and then the one you can see it's
21 blown up as the third page.

22 Is that, the one on the third page, is that the
23 building you went to sign the verified complaint that's just
24 off of New Hampshire Avenue in Southern Pines?

25 A. It looks familiar but I cannot say for sure if it

1 is or not. I thought there was signage out front.

2 Again, I'm a bad witness, because I couldn't even tell
3 you what my son looked like this morning when I left the
4 house.

5 Q. Do you see on the third page, do you see there's
6 something there on the --

7 A. Definitely not this building here, the one on the
8 left on the second page.

9 Q. The one on the right on the third page seems to
10 have a sign that's not legible but --

11 A. I -- I cannot say it is or it isn't. I'm sorry.

12 Q. And -- and through all of this, is it your
13 testimony and under oath that you still don't know whose law
14 office that was and you have -- no one's told you?

15 You haven't gotten that information from anywhere or
16 anybody?

17 A. I did not ask. I just -- I went and did that. So,
18 no.

19 Q. Okay.

20 MR. VAN CAMP: Your Honor, that's all I have.

21 I -- I would like to, if the court will indulge me,
22 at least have the opportunity today to submit as a matter of
23 public record some CD disks of some of the school board
24 meetings which Ms. Pratte and Mr. Moore were up speaking.
25 It goes, I think, to the improper purpose element of Rule 11

1 and what's this really all about and my client admittedly
2 been described by Mr. White as collateral damage.

3 THE COURT: Any objections?

4 MR. WHITE: Your Honor, it's tough for me to know
5 what objections I may have without knowing what is going to
6 be submitted. I would ask to be -- have an opportunity to
7 view what videos Mr. Van Camp would like to submit before
8 they're admitted in the record before I'm asked to --
9 objection.

10 MR. VAN CAMP: I have no objection with first
11 emailing them to Mr. White. I'm not sure I'm even going to
12 do it. I was looking at some of them before we left but
13 weren't able to get them on disks in time.

14 THE COURT: All right. Redirect?

15 MR. WHITE: I believe just briefly, Your Honor.

16 REDIRECT EXAMINATION by Mr. White:

17 Q. Ms. Pratte, during cross-examination you and
18 Mr. Van Camp had a series of questions and answers
19 concerning a range of issues that you -- that you were
20 passionate about as it relates to -- to the Moore County
21 schools Board of Education.

22 At the conclusion of that the -- Mr. Van Camp, I
23 believe he asked you if you had filed any other civil
24 actions and I just wanted to focus you in on that.

25 I'm not sure if you interpreted the question to mean

1 any civil actions related to what y'all had just discussed
2 or any civil actions against Moore County schools Board of
3 Education.

4 In general, your answer was that you had not filed any
5 other civil actions. Just in the interest of giving you the
6 opportunity to reflect today as opposed to reflect later on
7 today.

8 A. Right. We don't want to be back here for me to
9 correct the record, right.

10 So I was answering that question about the litany of
11 concerns that citizens have about our schools as far as
12 filing a complaint.

13 But I do have another complaint filed with being --
14 having my freedom of speech censored, as some board members
15 choose to remove my comments but they choose to keep other
16 comments going as far as reporting my comments to Facebook
17 and spam and getting me --

18 THE COURT: I'm sorry, Facebook what?

19 A. Ms. Carter reported one of my comments regarding
20 facts about the phone call, the mystery phone call at the
21 school. I posted, I think it's called, the hay -- haymaker
22 article which basically showed that Ms. Carter's comments
23 were -- it appeared to be propaganda.

24 And instead of her engaging in conversation, not only
25 did she delete it -- well, she did not delete it. It

1 appears that she contacted Facebook and considered that
2 spam. So then my account was frozen for a couple of days.

3 But the freedom of speech is under attack not only in
4 our county but in our country. And it's no help that The
5 Pilot is a mouthpiece of just the schools. And so the case
6 that was filed is in regards to having my freedom of speech
7 taken away.

8 But other than that I'm not involved -- I'm not a
9 plaintiff or going to be filing suit in other cases, but I
10 am helping out other people.

11 Q. The -- you say you're not a plaintiff, not going to
12 be filing suit.

13 Do you have any intention of refiling this?

14 A. I was talking about the other cases that I talked
15 to Mr. Van Camp about that the different parent groups are
16 working on.

17 I have no intention -- I mean, this has been dismissed,
18 the property is sold. I don't see any purpose in belaboring
19 the courts or anybody else.

20 Q. Do you -- you mentioned a couple times during your
21 testimony that you have come to the courts because you have
22 no recourse.

23 Has anything happened at these board of education
24 meetings or anything been said that caused you to feel this
25 way?

1 A. Yes, sir. Whenever there are issues, and it's not
2 just me but it is a large percentage of parents,
3 grandparents, and citizens, we have emailed the school board
4 more times than probably they care to -- to need. We have
5 attended meetings. I've approached some and met with some.

6 I mentioned I went out to lunch with Libby Carter and I
7 have no -- no animosity between anyone. My issue is their
8 policies, their violations of the oath, and their failure to
9 protect our children.

10 So -- I lost my train of thought. I have ADHD. I'm
11 sorry.

12 Can someone help me?

13 Where was I, or was no one else listening?

14 Q. The -- I can assure you that the court was
15 listening, Ms. Pratte, and were following along.

16 But the -- the question was related to whether anything
17 had caused you --

18 A. I -- I did everything -- yeah. Thank you for --
19 for bringing my mind back.

20 I've done, and I know not just myself but countless
21 other citizens and parents, we've done everything that we're
22 supposed to do in accordance with our constitution and with
23 the statutes and we followed proper procedures. We've
24 always been professional.

25 Yes, there are times that we're passionate and that we

1 are getting upset. But that is because of time after time
2 after time we go, we share evidence, we have our hearts out
3 there, and it's a blatant disregard for anybody else's
4 comment.

5 Libby Carter and Ed Dennison will sit there and read
6 our response to an important issue after listening to, you
7 know, 30 people speak about it. What we had to say had no
8 bearing on his decision, because he's just reading what was
9 already told. That is not what our elected officials are
10 supposed to do.

11 And so in speaking to many people who -- who understand
12 and who know, and I've -- I've taken a course on the
13 constitution in understanding how we can get our rights
14 back.

15 Our -- our rights are under attack here in Moore County
16 and across our country, especially our freedom of speech and
17 even our freedom to assemble because at the school board
18 meeting we were forced to stand outside in the cold. And
19 the next board meeting they moved us back even further.

20 We've done nothing wrong. All we're doing -- our
21 country is a beautiful country. And it's -- our Founding
22 Fathers created a wonderful system so that there is balance
23 and there's -- there's equity so that there can be justice.

24 But our county right now is lawless. Because how else
25 can the elected officials violating their oath which should

1 have them removed from office violating their oath nothing
2 happens?

3 It appears in the Van Camp complaint on the LP case.
4 It appears that people violated other laws as well and
5 nothing happened.

6 Q. And, Ms. Pratte, if -- if I may, I don't want to --

7 A. Well, I was just saying all -- all this -- all this
8 stuff that we've gone through -- you know, I, no disrespect,
9 but I hate the court system. I don't like being in court.
10 But if that's our only option to achieve accountability,
11 then, I went to the courts for justice because that's how
12 our -- our democracy is supposed to work. It's the bedrock
13 of our republic.

14 Q. Did you have any -- well, strike that.

15 Was the purpose of the now dismissed complaint here,
16 did that have anything to do with any of your other issues
17 other than the sale or how the board of education was
18 selling the land?

19 A. Will you repeat that please?

20 Q. Did the purpose of your complaint for your reasons
21 for being a plaintiff in this now dismissed complaint
22 challenging the manner in which the land was sold, did that
23 have anything to do with anything other than challenging the
24 manner in which the land was sold?

25 A. No. I mean, again, it was just the fact that here

1 was another time the school board violated a statute and
2 they thought because they voted 4-3 that they could just
3 break the law. So it was just another time.

4 So this was about them failing to take the land out to
5 proper bid and that was it. Because I figured if we can
6 start to hold them accountable in one area, you know, that
7 it needs to start somewhere.

8 So this one was just totally about the -- the sale of
9 the land. And my comments at the school board meeting never
10 did I mention about the sale of the land. That was on the
11 back burner because I felt like our student safety was much
12 more important than land; that this is an important case as
13 well because it's taking money potentially away from our --
14 our students.

15 Q. Do you recall any reason -- you said this was on
16 your -- your back burner, the land sale issue.

17 Do you recall why it may have come to the front burner
18 around the time that this complaint was filed?

19 A. With some of the other issues we were working on,
20 we're hitting road blocks. So we're going out into other
21 areas.

22 But this one was now -- look at the -- the timeliness
23 of it. This one, it was sort of like we had to act, we had
24 to push it to the forefront because the other ones, they're
25 not really by time frame.

1 And I believe -- I believe the school board, because we
2 only know on Friday what's happening on a Monday, you sort
3 of don't -- you sort of have to stay abreast of what's going
4 on there.

5 Q. Thank you, Ms. Pratte.

6 MR. WHITE: Your Honor, I don't have any further
7 questions.

8 THE COURT: Recross?

9 MR. VAN CAMP: None. No questions, Your Honor.

10 EXAMINATION by The Court:

11 Q. Ms. Pratte, do you know who John Birath is?

12 A. I do know of him. I was trying to get some
13 information from him at one point.

14 Q. So do you know him to be the executive officer for
15 the operations for Moore County schools?

16 A. I couldn't tell you what his title was, but, I
17 mean, I know -- I know he works in a similar capacity. So I
18 would say yes.

19 Q. As the court has duly noted, these files now reach
20 about eight inches thick. It's a lot of documents.

21 And I'm going to read to you paragraph 13 of the
22 affidavit of John Birath, and then I want to know whether or
23 not you were aware of the information contained in this
24 paragraph.

25 Paragraph 13: "On September 22, 2021, I updated the

1 board on the status of negotiations with the land trust. As
2 noted in the executive summary there was publicity posted
3 and presented to the board in connection with this action
4 item which is attached to this affidavit as Exhibit 11.
5 Negotiations between representatives of the board and land
6 trust for the purpose of only the specified portion of the
7 property referred to as Parcel 1A were complicated by the
8 discovery that a boiler located within that parcel serves
9 buildings both within and outside the parcel and another
10 boiler located outside the parcel also serves buildings both
11 within and outside it.

12 "The executive summary explains that to separate out
13 Parcel 1A for sale apart from the rest of the property would
14 require the rerouting of conduits and adaptation of the
15 systems and that it would not be feasible to subdivide the
16 parcel for separate disposal until these issues were
17 resolved.

18 "The executive summary notes that initiate estimates
19 for the cost of separating out these heating and cooling
20 systems would cost between 160,000 and 180,000, costs that
21 neither party anticipated when the board agreed to sell
22 Parcel 1A to the land trust for \$300,000."

23 Were you aware of the information in this paragraph?

24 A. No, sir.

25 Q. Do you -- so does that mean your groups and your

1 discussions outside the school board meetings, or wherever
2 your groups would meet, there was no discussion about this
3 boiler issue?

4 A. The groups are meeting about other issues. The --
5 the Southern Pines Land Trust is things that I just heard
6 people talk about. And I was working with Landon White on
7 other issues and then Landon and I were talking about it.

8 But with all due respect I read -- I mean, if -- if I
9 had a magic wand, I could flip -- be on the board. I would
10 probably ask for a second opinion just -- because I don't
11 know, but I also read a lot of stuff on the Aberdeen land
12 sale penned by the same author that I wasn't a hundred
13 percent sure about.

14 But I did not have any knowledge about that. And I
15 think that was your question so I'll stick to that.

16 Q. You testified on Monday of this week that either on
17 Sunday, November the 7th, 2021, or Monday, November the 8th,
18 2021, you reviewed the complaint that was emailed to you by
19 your lawyer Mr. White; is that correct?

20 A. Yes, sir.

21 Q. Did you review all 131 paragraphs of the complaint?

22 A. As I recall I said on Monday, and the truth would
23 say it again, I reviewed it with -- very quickly, not with a
24 fine-tooth comb. I was -- you know, I think it's hard when
25 you are filing a suit with another plaintiff because

1 Mr. Moore and I did not speak about it.

2 So I was looking over items that I knew to be true.

3 And it wasn't like separated out, this is Mr. Moore's stuff
4 and this is my stuff.

5 So, yes, I did look over it but it was not with a
6 fine-tooth comb.

7 Q. Did you review the 11 exhibits that were attached
8 to this complaint?

9 A. No, sir. I've not -- I don't know if they were
10 attached, I mean, attached -- but I did not -- I did not
11 review them. So...answer your question.

12 Q. And this is a copy of the verified complaint with
13 attachments.

14 Do you desire to look at Defendant's Exhibit 1 to see
15 if it refreshes your memory as to whether or not --

16 A. Well, I -- I looked at it over my email and I think
17 it was just the complaint but I don't want to say more. But
18 if you want me to read it I will, because considering the
19 case was dismissed I have no desire to.

20 Q. Well, as you reviewed the complaint but not with a
21 fine-tooth comb, to use your words, you noted there were or
22 did you know that there were references made to exhibits in
23 the complaint, paragraphs 1 through 131?

24 A. Being honest, I can't say.

25 Q. And you've testified today and on Monday that you

1 did not review the complaint with a fine-tooth comb, to use
2 your words, correct?

3 A. Yes, sir.

4 Q. What do you mean by that?

5 A. In the -- the case that I was involved with with my
6 son, I -- because I was -- it was my son, so I knew
7 everything. So I went through it and I, you know, grabbed
8 evidence and I would make notes and everything like that.

9 So I was not meticulous. I was just reading over it,
10 you know, I had standing, and that the things that I -- that
11 I was reading that I had knowledge of and I -- I had --
12 had -- had knowledge of it.

13 THE COURT: Does either side have questions based
14 on the court's questions, Mr. White?

15 MR. WHITE: No, Your Honor.

16 THE COURT: Mr. Van Camp?

17 MR. VAN CAMP: Just one, Your Honor.

18 RECROSS-EXAMINATION by Mr. Van Camp:

19 Q. Ms. Pratte, do you -- do you review as part of your
20 attendance at the school board meetings the -- the executive
21 summaries that kind of say this is what's being recommended
22 or here are the options for the board, whether it's the land
23 sale trust or masks or, you know, data, that type of thing?

24 A. The executive summary that comes out after the
25 meeting?

1 Q. The one that's usually prepared prior that says
2 this is the -- the administration's recommendations on this
3 issue and here are the facts, kind of like what -- what
4 mister or what Judge Webb just read about the boiler issue?

5 A. I -- I don't make it a common practice, but I have
6 done that.

7 Q. And the boiler reference, I think in Mr. Birath's
8 affidavit, was in one of those executive summaries?

9 A. I did not read that one.

10 And -- and what -- what date was that executive
11 summary?

12 Q. September 22nd.

13 THE COURT: The paragraph 13 of his affidavit
14 states on September 22nd, 2021, I updated the board on the
15 status of negotiations with the land trust.

16 A. Okay. Yeah, I -- I have no knowledge of that. But
17 I do know that under closed session that when you are
18 negotiating those items do fall under closed sessions. So I
19 don't know if that was under a closed session or if it was
20 open session.

21 Do you know?

22 Because if it was under a closed session I would have
23 no knowledge of that.

24 Q. So would it be fair to say that you reviewed the
25 complaint not meticulously but just for things that you were

1 familiar with as being accurate?

2 The lawsuit got filed.

3 And you have not until this hearing reviewed a single
4 document, whether it's a motion, a brief, a affidavit,
5 that's been filed in your case since November 8 other than
6 here in court?

7 A. That is correct. And, again, sir, just with life's
8 circumstances, typically when I'm involved with something
9 I'm very meticulous.

10 But when you have a child that is in need of your
11 attention, my attentions were focused on him solely for
12 those months. And so Mr. White kept me informed over the
13 phone, but I can't even begin to tell you what I was going
14 through.

15 Q. And you returned from Florida this last time on
16 what date?

17 A. I was supposed to be there up until -- what's
18 today's date?

19 Q. Today is February 24th.

20 A. Okay. I was supposed to be in Florida up until
21 this -- the end of this week. We came back two weeks early
22 just because I needed to get back. We'll be going back to
23 finish up the two weeks, but we were scheduled to be down
24 there until March 1st.

25 Q. So somewhere around February 10th you came back

1 from Florida?

2 A. I'm thinking it was the 11th. I'd have to check to
3 be sure, sir.

4 Q. Okay. Thank you.

5 So -- well, let me -- so you were back here and in
6 Moore County some six -- for six days prior to our initial
7 hearing on February 17th; is that correct?

8 A. Yes, sir. And I did not -- when I got back from
9 being away for so long, I did not contact people to say that
10 I was in town and maybe I should have. But, again, my
11 priorities are with my family and trying to get all my bills
12 paid and everything from being away for so long.

13 Q. Understood. Thank you.

14 MR. VAN CAMP: No further questions.

15 THE COURT: Mr. White, any further questions?

16 MR. WHITE: No questions, Your Honor.

17 THE COURT: Thank you, Ms. Pratte. You may step
18 down.

19 THE WITNESS: Thank you.

20 THE COURT: No, you can just leave those right
21 there.

22 Thank you.

23 All right. Counsel, I indicated in my email to you
24 yesterday that if either side desired to present additional
25 evidence on this matter I would entertain it at this time.

1 Anything further on behalf of the movant, Mr. Van
2 Camp?

3 MR. VAN CAMP: No, Your Honor.

4 THE COURT: Anything further on behalf of the
5 plaintiffs, Mr. White?

6 MR. WHITE: Not at this time, Your Honor. The --
7 the -- I'll tell the court something I intend to discuss
8 with Mr. Van Camp. There's a possibility that I submit an
9 affidavit, however prior to doing so I wanted to clarify
10 what my -- clarify a couple of issues as to that. It would
11 be very limited in scope.

12 THE COURT: An affidavit authored by you?

13 MR. WHITE: Yes.

14 THE COURT: All right.

15 MR. WHITE: And -- but I'll discuss that with
16 Mr. Van Camp by the end of today.

17 THE COURT: All right. Mr. Van Camp, during this
18 hearing today you marked a number or presented a number of
19 exhibits, Defense Exhibits 4, 6, 7, 8, 9, 5, Defendant's
20 Exhibit 5.

21 Are those already contained in the eight inches of
22 these filings?

23 MR. VAN CAMP: I believe they are, however, I was
24 just --

25 THE COURT: If they're not, are you --

1 MR. VAN CAMP: Well, I already know, I think 6, 7,
2 and 8, which are the Facebook, and 9 which depicts the law
3 office, those are not. Number 2 is the Maser affidavit; 3,
4 4, and 5 are as well. So --

5 THE COURT: Are you offering 6, 7, 8, and 9?

6 MR. VAN CAMP: Yes, sir.

7 THE COURT: Received.

8 All right. Thank you, Counsel.

9 MR. WHITE: Thank you, Your Honor.

10 THE COURT: Yes, sir.

11 (Thereupon, the proceedings concluded at
12 11:15 a.m.)

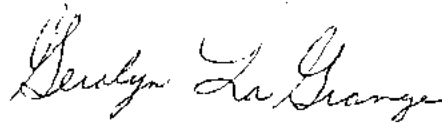
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing amended transcript of proceedings taken at the February 17, 2022, Session of Moore County Superior Court is a true and accurate transcript of the proceedings as reported by me and transcribed by me or under my supervision.

I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 26th day of February, 2022.



Geralyn M. LaGrange, RPR
Official Court Reporter
Guilford County Courthouse - High Point
Post Office Box 2434
High Point, North Carolina 27261
(336) 822-6820
jlegrangel@triad.rr.com