

NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE

WAKE COUNTY

2008 OCT 30 PM 4:42

DISTRICT COURT DIVISION

08 CVD 12310

GARRY D. RENTZ AND DONNA A. RENTZ AND KRISTA C. LISTER,)
Plaintiffs,)

v.)

BRADLEY COOPER,)
Defendant.)

**ORDER DENYING DEFENDANT'S
MOTION TO DISMISS PLAINTIFFS'
CLAIMS FOR TEMPORARY AND
PERMANENT CUSTODY PURSUANT TO
RULE 12(b)(6)**

THIS MATTER came before the Honorable Debra S. Sasser on October 13, 2008 on Defendant's Motion to Dismiss Plaintiffs' Claims for Temporary and Permanent Custody Pursuant to Rule 12(b)(6). Plaintiff, Garry D. Rentz, was present in the courtroom. Plaintiffs Donna A. Rentz and Krista C. Lister were not present in the courtroom. Plaintiffs were represented by Wade M. Smith, Alice C. Stubbs and Steve Mansbery of the law firm of Tharrington Smith, LLP. Defendant was present in the courtroom and was represented by Deborah Sandlin of the law firm of Sandlin & Davidian, PA and Lynn A. Prather and Howard Kurtz of the law firm of Kurtz & Blum, PLLC. After reviewing and considering Defendant's motion, the arguments of counsel and the case law, statutes, North Carolina Rules of Civil Procedure and other authority submitted by both parties to the Court,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

Defendant's Motion to Dismiss Plaintiffs' Claims for Temporary and Permanent Custody Pursuant to Rule 12(b)(6) is denied.

This the 33 day of October, 2008.



THE HONORABLE DEBRA S. SASSER

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**AMENDED
CERTIFICATE OF SERVICE**

This is to certify that a copy of the Order Denying Defendant's Motion to Dismiss Plaintiffs' Claims for Temporary and Permanent Custody Pursuant to Rule 12 (b)(6) was duly served upon counsel for Defendant this date by US mail, addressed as follows:

Ms. Debbie Sandlin
Sandlin and Davidian, PA
5617 Departure Drive
Suite 109
Raleigh, North Carolina 27616
Attorney for Defendant

Ms. Lynn A. Prather
Kurtz and Bloom
16 West Martin Street
10th Floor
Raleigh, North Carolina 27601
Attorney for Defendant

This the 30 day of October, 2008.

THARRINGTON SMITH, LLP



Steve Mansbery
Attorney for Plaintiffs
NC State Bar # 35873
Tharrington, Smith LLP
Post Office Box 1151
Raleigh, North Carolina 27602-1151
Telephone: (919) 821-4711

CERTIFICATE OF SERVICE

This will certify that the foregoing Motion for Leave to Withdraw as Counsel was served upon all parties by depositing a copy of the same in the U.S. Mail with sufficient postage thereon, addressed to:


Alice C. Stubbs & Wade Smith
Tharrington Smith, LLP
PO Box 1151
Raleigh, NC 27602-1151

Deborah Sandlin
Sandlin & Davidian, PA
PO Box 58569
Raleigh, NC 27658

Lynn A. Prather, Kurtz & Blum, PLLC via Hand Delivery

Bradley Cooper via Hand Delivery

This 31 of October, 2008.



Howard A. Kurtz
Attorney at Law

BY _____

WAKE COUNTY, C.S.C.

OCT 31 AM 11:27

FILED