

NEW HANOVER COUNTY  
**FILED**  
 NOV 07 2019  
 10:18 O'CLOCK AM  
 AT BY \_\_\_\_\_  
 CLERK OF SUPERIOR COURT

STATE OF NORTH CAROLINA  
 NEW HANOVER COUNTY

IN THE GENERAL COURT OF JUSTICE  
 SUPERIOR COURT DIVISION  
 FILE NO. 19 CVS 2745

JOHN DOES 1 to 5, inclusive, and JOHN )  
 DOE 6, by and through his *Guardian ad litem*, )  
 all individually and on behalf of all others )  
 similarly situated, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 NEW HANOVER COUNTY BOARD OF )  
 EDUCATION; MICHAEL EARL KELLY; )  
 JAMES RICKIE "RICK" HOLLIDAY; )  
 TIMOTHY SCOTT MARKLEY; and )  
 MIKE ROES 1 to 10, inclusive. )  
 )  
 Defendants. )

**ORDER**

A TRUE COPY  
 CLERK OF SUPERIOR COURT  
 NEW HANOVER COUNTY  
 BY: *Michelle W. Mitchell*  
 Deputy Clerk of Superior Court

This matter came on for hearing before this Court during the November 4, 2019 civil session of New Hanover County Superior Court on the defendant New Hanover County Board of Education's Motion to Compel the production of records by the New Hanover County Sheriff, Plaintiffs being represented by Martin Ramey, Defendants New Hanover County Board of Education and Timothy Markley being represented by Deborah Stagner, and Defendant Rick Holliday being represented by Michael Cohen. The Court also heard from Deputy County Attorney Sharon Huffman, representing the New Hanover County Sheriff's Department, and Leslie Dismukes, Criminal Bureau Chief for the North Carolina Department of Justice.

This Court has authority to order the Sheriff's Department to produce the records sought pursuant to N.C. Gen. Stat. § 132-1.4(a) and Rules 26(c) and 45(c)(4) of the North Carolina Rules of Civil Procedure. It appearing that the records sought by defendant New Hanover

County Board of Education contain information that is relevant to the subject matter of the pending action, including information that may be relevant to the claims and defenses of the parties, the Court hereby ORDERS that the Motion to Compel is GRANTED.

WHEREFORE, no later than six (6) months following receipt of this Order, the New Hanover County Sheriff's Department shall produce to the New Hanover Board of Education all records identified in the subpoena issued by the Board on September 17, 2019. All records produced pursuant to this Order shall be handled by the parties in accordance with the terms of the Consent Discovery Protective Order previously entered on September 26, 2019. This Order is entered without prejudice to any party's right to apply to the Court for relief therefrom, or to apply to the Court for further or additional protective orders.

This the 7<sup>th</sup> day of November 2019.



---

Honorable Joshua W. Willey, Jr.  
Superior Court Judge Presiding