

Supreme Court of North Carolina

EASTOVER RIDGE L.L.C., a North Carolina Limited Liability Company

v.

METRIC CONSTRUCTORS, INC.

Byrd's Lawn & Landscaping, Inc.

v.

Eastover Ridge, L.L.C.; Metric Constructors, Inc.; Hacker Industries, Inc.;

Nationwide Life insurance Company; and William T. Graves, as Trustee

Nix-Unger Construction Co., Inc.

v.

Metric Constructors, Inc., and Eastover Ridge Limited Liability Company.

Basic Electric Company, Inc.

v.

Metric Constructors, Inc. and Eastover Ridge, L.L.C.

Allison Fence Company, Inc.

v.

Eastover Ridge, L.L.C.; Metric Constructors, Inc.; Hacker Industries, Inc.;

Nationwide Life Insurance Company; and William T. Graves, as Trustee

No. 455P00

Decided Dec. 20, 2000.

Counsel:

Robert W. Fuller, Lawrence C. Moore, III, Charlotte, for
Eastover Ridge, L.L.C.

Timothy G. Barber, Charlotte, Douglas L. Patin, (Pro
Hac Vice), Washington, DC, for Metric Constructors,
Inc.

Prior report: 139 N.C.App. 360, 533 S.E.2d 827.

ORDER

Upon consideration of the petition filed by Plaintiff in this matter for discretionary review of the decision of the North Carolina Court of Appeals pursuant to G.S. 7A-3 1, the following order was entered and is hereby certified to the North Carolina Court of Appeals:

“Denied by order of the Court in conference, this the 20th day of December 2000.”

Eastover Ridge, L.L. C. v. Metric Constructors, 353 N.C. 262, 546 S.E.2d 93.