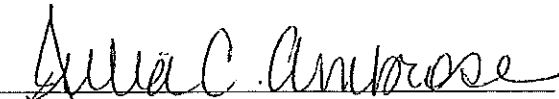


Respectfully submitted, this the 19th day of November, 2009.



Robert J. King III

N.C. State Bar No. 15946

Jill R. Wilson

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Julia C. Ambrose

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CERTIFICATE OF SERVICE

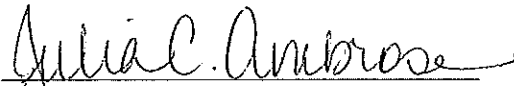
The undersigned hereby certifies that a copy of the foregoing **MOTION TO DISMISS** was served upon all parties listed below by depositing a copy of same in the United States Mail, first-class, postage pre-paid, addressed as follows:

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This the 19th day of November, 2009.



Julia C. Ambrose