

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

SAUL HILLEL BENJAMIN,)

Plaintiff,)

v.)

NICHOLAS SPARKS, EPIPHANY SCHOOL OF)
GLOBAL STUDIES, NICHOLAS SPARKS)
FOUNDATION, MISSY BLACKERBY, TRACY)
LORENTZEN, and KEN GRAY,)

Defendants.)

**JUDGMENT
IN A CIVIL CASE
CASE NO. 4:14-CV-186-D**

Decision by Court. This action came before this Court and Jury for ruling as follows:

IT IS ORDERED, ADJUDGED, AND DECREED that on March 23, 2016 the court GRANTED the motion to dismiss of defendants Epiphany, Sparks in his official capacity, Lorentzen, Blackerby, and Gray and GRANTED the motion to dismiss of defendant Sparks in his individual capacity and the Foundation. The court DISMISSED claim one and claim two against Blackerby, Lorentzen, and Gray, claim five, claim twelve, claim thirteen, claim fourteen against Gray and Lorentzen, and claim sixteen. Defendants Blackerby, Lorentzen, and Gray were dismissed as defendants in this action.

IT IS FURTHER ORDERED, AND DECREED that on September 28, 2018 the court GRANTED in part and DENIED in part Epiphany's motion for summary judgment, GRANTED in part and DENIED in part the Foundation's motion for summary judgment, and GRANTED in part and DENIED in part Spark's motion for summary judgment. The court explained that decision in its order of October 29, 2018.

IT IS FURTHER ORDERED, AND DECREED that on August 19, 2019 the court GRANTED in part defendant Spark's motion for Directed Verdict and DISMISSED the defamation claim regarding the statement made to Mr. Plihcik.

IT IS FURTHER ORDERED, AND DECREED that, pursuant to a jury verdict entered August 21, 2019, plaintiff Saul Hillel Benjamin did not prove by a preponderance of the evidence that his resignation from defendant the Epiphany School of Global Studies was involuntary.

IT IS FURTHER ORDERED, AND DECREED that, pursuant to a jury verdict entered August 21, 2019, plaintiff Saul Hillel Benjamin did not prove by a preponderance of the evidence that his resignation from the Nicholas Sparks Foundation was involuntary.

IT IS FURTHER ORDERED, AND DECREED that, pursuant to a jury verdict entered August 21, 2019, plaintiff Saul Hillel Benjamin did not prove by a preponderance of the evidence that the defendant the Epiphany School of Global Studies terminated his employment because it regarded him as having a physical or mental impairment in violation of the Americans with Disabilities Act.

IT IS FURTHER ORDERED, AND DECREED that, pursuant to a jury verdict entered August 21, 2019, plaintiff Saul Hillel Benjamin did not prove by a preponderance of the evidence that the defendant, Nicholas Sparks, slandered him by saying to the Board of Trustees of the Epiphany School of Global Studies that Saul Hillel Benjamin “may be suffering from dementia or Alzheimer’s or something along those lines” because “he just did not appear rational” in his actions in their meeting on November 21, 2013.

IT IS FURTHER ORDERED, AND DECREED that, pursuant to a jury verdict entered August 21, 2019, plaintiff Saul Hillel Benjamin did not prove by a preponderance of the evidence that the defendant, Nicholas Sparks, slandered him by saying to Renee Coles and her husband that he terminated Saul Hillel Benjamin because Saul Hillel Benjamin “had dementia and bipolar disease” and that “bipolar disease runs in Benjamin’s family.”

Defendants may file a motion for costs in accordance with the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Eastern District of North Carolina.

This Judgment Filed and Entered on August 22, 2019, and Copies To:

Douglas H. Wigdor	(via CM/ECF electronic notification)
Hilary J. Orzick	(via CM/ECF electronic notification)
Lawrence M. Pearson	(via CM/ECF electronic notification)
Michael J. Willemin	(via CM/ECF electronic notification)
Kristen E. Finlon	(via CM/ECF electronic notification)
Richard Leonard Pinto	(via CM/ECF electronic notification)
Theresa Marie Sprain	(via CM/ECF electronic notification)
Deborah J. Bowers	(via CM/ECF electronic notification)
Hayden J. Silver, III	(via CM/ECF electronic notification)
Jonathon D. Townsend	(via CM/ECF electronic notification)
Samuel B. Hartzell	(via CM/ECF electronic notification)

DATE:
August 22, 2019

PETER A. MOORE, JR., CLERK
(By) /s/ Nicole Sellers
Deputy Clerk