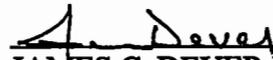


As for plaintiffs' motion for summary judgment, the court has reviewed the record in the light most favorable to defendants. Plaintiffs' motion for summary judgment concerning damages [D.E. 188] is DENIED. Genuine issues of material fact exist concerning damages. As for plaintiffs' motion to strike the affidavit in opposition [D.E. 202], the court DENIES the motion. See Fed. R. Civ. P. 12(f); Waste Mgmt. Holdings, Inc. v. Gilmore, 252 F.3d 316, 347 (4th Cir. 2001); Hill v. Robeson Cty., 733 F. Supp. 2d 676, 690 (E.D.N.C. 2009).

The court sets the trial for Thursday, June 21, 2018, at 10:00 a.m., in courtroom one of the Terry Sanford Federal Building and United States Courthouse, 310 New Bern Avenue, Raleigh, North Carolina. The court anticipates two trial days. If necessary, the court will set and enforce time limits on each side.

SO ORDERED. This 27 day of February 2018.



JAMES C. DEVER III
Chief United States District Judge