

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO.: 3:09-CV-507-RLV-DCK**

DAVID BARTON WOOTEN, LISA WOOTEN,  
ROBERT NASTASE, MARY A. NASTASE, JASON E.  
JONES, JASON M. HENDRIX, LEE ADAMS  
MCINTYRE, III, KORI K. MCINTYRE, LAWRENCE  
R. DUDZIK, CHRISTINE A. DUDZIK, MICHAEL A.  
DOLAN, LISA A. DOLAN, BARRY K. BROWN,  
SANDRA D. BROWN, GREGORY J. HELLMANN,  
CYNTHIA A. HELLMANN, ROBERT A. HAMILTON  
and JOAN M. HAMILTON,

Plaintiffs,

v.

INFINITY PARTNERS, LLC, INFINITY REAL  
ESTATE PARTNERS, LLC, PRUDENTIAL SOURCE  
ONE, SOURCE ONE COMMUNITIES, L.L.C.,  
PEERLESS REAL ESTATE SERVICES, INC., BLUE  
RIVER RIDGE AT BLOWING ROCK, LLC, A.  
GREG ANDERSON, ANDERSON & ASSOCIATES,  
FIFTH THIRD BANK f/k/a FIRST CHARTER BANK  
OF NORTH CAROLINA, ANTHONY PORTER, LEE  
FARTHING and STEVE RAYBORN,

Defendants.

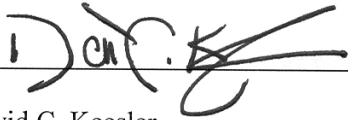
**CONSENT ORDER STAYING LITIGATION  
AGAINST DEFENDANT PEERLESS REAL  
ESTATE SERVICES, INC.**

This matter is before the Court on the “*Motion For Order Staying Litigation By Receiver For Defendant Peerless Real Estate Services, Inc.*” (Document No. 42) filed on December 28, 2009 by Joseph W. Grier, III, Receiver for Defendant Peerless Real Estate Services, Inc. (“Peerless”). Having reviewed the record, noting the consent of the Plaintiffs, and for good cause shown, the Court concludes that the Motion should be **granted**; and it is therefore

ORDERED, ADJUDGED AND DECREED that:

- (1) The plaintiffs in this action are stayed from proceeding against Peerless pending further order of this Court;
- (2) The Receiver is directed to cooperate reasonably with the parties in this action in producing documents in his possession and control requested by parties to that litigation; and
- (3) Plaintiffs in this action may participate along with any other parties asserting claims in any claims process established by the North Carolina Superior Court administering the Peerless receivership and the Receiver is directed to notify counsel for the plaintiffs in this action when that court establishes a claims procedure.

Signed: January 19, 2010

  
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David C. Keesler  
United States Magistrate Judge



Consented to by:

/s Joseph W. Grier, III  
Joseph W. Grier, III  
Attorney for Receiver for Peerless Real Estate Services, Inc.

/s Matthew W. Buckmiller  
Matthew W. Buckmiller  
Attorney for Plaintiffs

