

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA19-579

Filed: 4 February 2020

Union County, No. 16-CVS-2932

EASTWOOD CONSTRUCTION CO., INC., ET AL., Plaintiffs,

v.

COUNTY OF UNION, Defendant.

Appeal and petition for writ of certiorari by Defendant from an order entered 14 March 2019 by Judge Richard S. Gottlieb in Union County Superior Court. Heard in the Court of Appeals 8 January 2020.

Ferguson, Hayes, Hawkins & DeMay, PLLC, by James R. DeMay, and Scarbrough & Scarbrough, PLLC, by James E. Scarbrough, John F. Scarbrough, and Madeline J. Trilling, for Plaintiffs-Appellees.

Erwin, Bishop, Capitano & Moss, PA, by J. Daniel Bishop, Joseph W. Moss, Jr., and Matthew M. Holtgrewe, for Defendant-Appellant.

INMAN, Judge.

EASTWOOD CONSTR. CO. V. COUNTY OF UNION

Opinion of the Court

This appeal is one of eight companion cases to *Lennar Carolinas, LLC v. County of Union*, No. COA19-576 ___ N.C. App. ___ (2020) (unpublished),¹ in which the County of Union appeals and seeks certiorari review of an interlocutory order denying summary judgment in its favor. Each case was consolidated for hearing, both in the trial court and on appeal, and all seek review of the same order and present the same issues. For the reasons stated in *Lennar Carolinas*, we dismiss this appeal as interlocutory and deny certiorari in our discretion.

APPEAL DISMISSED; PETITION FOR WRIT OF CERTIORARI DENIED.

Judges ARROWOOD and BROOK concur.

Report per Rule 30(e).

¹ Those additional companion cases are *True Homes, LLC v. County of Union*, No. COA19-572, ___ N.C. App. ___ (2020) (unpublished); *Shea Homes, LLC v. County of Union*, No. COA19-573, ___ N.C. App. ___ (2020) (unpublished); *M/I Homes of Charlotte, LLC v. County of Union*, No. COA19-575, ___ N.C. App. ___ (2020) (unpublished); *Shops at Chestnut, LLC v. County of Union*, No. COA19-574, ___ N.C. App. ___ (2020) (unpublished); *Calatlantic Grp., Inc. v. County of Union*, No. COA19-577, ___ N.C. App. ___ (2020) (unpublished); *McInnis Constr. Co. v. County of Union*, No. COA19-578, ___ N.C. App. ___ (2020) (unpublished); *Pace/Dowd Props., Ltd. v. County of Union*, No. COA19-580, ___ N.C. App. ___ (2020) (unpublished).