

IN THE SUPREME COURT OF NORTH CAROLINA

No. 160A12

FILED 14 DECEMBER 2012

HEATHER BARBARINO

v.

CAPPUCCINE, INC.

Appeal pursuant to N.C.G.S. § 7A-30(2) from the unpublished decision of a divided panel of the Court of Appeals, \_\_\_ N.C. App. \_\_\_, 722 S.E.2d 211 (2012), affirming in part and reversing in part an order entered on 1 November 2010 by Judge Theodore S. Royster in Superior Court, Cabarrus County. Heard in the Supreme Court on 15 October 2012.

*Gardner & Hughes PLLC, by N. Renee Hughes and Nicole Gardner, for plaintiff-appellant.*

*Shumaker, Loop & Kendrick, LLP, by Frederick M. Thurman, Jr., for defendant-appellee.*

PER CURIAM.

AFFIRMED.