

IN THE SUPREME COURT OF NORTH CAROLINA

No. 242A11

(FILED 9 DECEMBER 2011)

KAREN B. ORR and MICHAEL TREXLER

v.

RONALD D. CALVERT

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, ___ N.C. App. ___, 713 S.E.2d 39 (2011), affirming a judgment entered on 17 December 2009 by Judge Laura J. Bridges in Superior Court, Henderson County, granting defendant's motion for directed verdict. Heard in the Supreme Court on 15 November 2011.

Falls & Veach, by John B. Veach III, for plaintiff-appellants.

Karolyi-Reynolds, PLLC, by Ronald W. Karolyi, for defendant-appellee.

PER CURIAM.

For the reasons stated in the dissenting opinion, the decision of the Court of Appeals is reversed. This case is remanded to the Court of Appeals for further remand to Superior Court, Henderson County, for proceedings not inconsistent with this opinion.

REVERSED AND REMANDED.