

IN THE SUPREME COURT OF NORTH CAROLINA

No. 130PA10

FILED: 3 FEBRUARY 2011

MICHAEL C. MUNGER, BARBARA HOWE, and MARK WHITELEY CARES

v.

STATE OF NORTH CAROLINA; JAMES T. FAIN, III, Secretary of the North Carolina Department of Commerce, in his official capacity; REGINALD HINTON, Acting Secretary of the North Carolina Department of Revenue, in his official capacity; DAVID T. MCCOY, State Budget Officer for the Office of State Budget and Management, in his official capacity; MICHAEL F. EASLEY, Governor of the State of North Carolina, in his official capacity; GOOGLE INC.; and MADRAS INTEGRATION, LLC

On discretionary review pursuant to N.C.G.S. § 7A-31 of a unanimous decision of the Court of Appeals, ___ N.C. App. ___, 689 S.E.2d 230 (2010), affirming an order dismissing all claims for relief filed by plaintiffs entered on 14 November 2008 by Judge Paul C. Ridgeway in Superior Court, Wake County. Heard in the Supreme Court 11 January 2011.

Robert F. Orr and Jeanette K. Doran for plaintiff-appellants.

Roy Cooper, Attorney General, by Norma S. Harrell, Special Deputy Attorney General, for defendant-appellees State of North Carolina, James T. Fain, III, Reginald Hinton, David T. McCoy, and Michael F. Easley.

Womble Carlyle Sandridge & Rice, PLLC, by Burley B. Mitchell, Jr. and Pressly M. Millen, for defendant-appellees Google Inc. and Madras Integration, LLC.

Troutman Sanders LLP, by William G. Scoggin, for North Carolina Economic Developers Association and the N.C. Chamber, amici curiae.

PER CURIAM.

DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.

Justice JACKSON did not participate in the consideration or decision of this case.