

STATE OF NORTH CAROLINA  
COUNTY OF BEAUFORT

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO.: 18-CVS-491

FILED

2019 JUN 21 A 9:38

THE BOARD OF DIRECTORS OF )  
NORTHEAST REGIONAL EARLY )  
COLLEGE HIGH SCHOOL OF )  
BIOTECHNOLOGY AND )  
AGRICULTURE (ALSO KNOWN AS )  
NORTHEAST REGIONAL SCHOOL )  
OF BIOTECHNOLOGY AND )  
AGRICULTURE), )

BEAUFORT CO., G.S.C.  
BY pm

Plaintiff,

v.

BEAUFORT COUNTY BOARD OF )  
EDUCATION, )

Defendant.

**ORDER GRANTING DEFENDANT'S  
AMENDED  
MOTION FOR SUMMARY JUDGMENT  
AND DENYING PLAINTIFF'S MOTION  
FOR SUMMARY JUDGMENT AS TO  
PLAINTIFF'S FIRST CAUSE OF ACTION**

THIS MATTER came on for hearing before the Honorable Cy A. Grant, Superior Court Judge Presiding, upon Defendant Beaufort County Board of Education's Amended Motion for Summary Judgment on Plaintiff's First Cause of Action for Declaratory Judgment pursuant to Rule 56 of the North Carolina Rules of Civil Procedure ("Defendant's Motion"), as well as the Motion for Summary Judgment as to the same claim by Plaintiff Northeast Regional School of Biotechnology and Agriscience ("Plaintiff's Motion").

Upon consideration of the pleadings, other filings, and arguments of counsel, the Court is of the opinion that, as a matter of law, Defendant Beaufort County Board of Education was entitled to withdraw from participation in Plaintiff Northeast Regional School of Biotechnology and Agriscience ("NERSBA") when it enacted a resolution on March 12, 2019 to withdraw from NERSBA. The Preliminary Injunction previously entered in this action is therefore dissolved and the March 12, 2019 Resolution of the Beaufort County Board of Education will be given full force and effect.

This Court's Order is a final judgment on the pending claim for declaratory judgment which affects a substantial right of the parties, and there is no just reason for delay in the entry of this Order or for the delay of any appeal from this Order.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendant's Amended Motion for Summary Judgment is GRANTED as to Plaintiff's First Cause of Action for Declaratory Judgment, and that Plaintiff's Motion as to the same claim is DENIED. It is further ordered, adjudged, and decreed that this Order should be, and hereby is, certified pursuant to Rule 54(b) of the North Carolina Rules of Civil Procedure as being subject to review by immediate appeal, there being no just reason for delay in the entry of this Order or for delay of any appeal from this Order.

This the 18<sup>th</sup> day of June, 2019.

  
The Honorable Cy A. Grant  
Superior Court Judge Presiding

ND: 4843-4625-7306, v. 2