

STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 21-CVS-0605

DEPARTMENT OF TRANSPORTATION, )  
Plaintiff, )  
vs. )  
RUTHERFORD RAILROAD DEVELOPMENT )  
CORPORATION, et al, )  
Defendants. )  
\_\_\_\_\_ )

VOLUNTARY DISMISSAL OF  
CERTAIN DEFENDANTS

NOW COMES the Department of Transportation, plaintiff herein, and voluntarily dismisses the following parties: Bechtler Development Corporation; Town of Forest City; and County Town of Rutherford.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

JOSHUA H. STEIN  
Attorney General

Thomas O. Lawton III  
Special Deputy Attorney General  
N.C Department of Justice  
60 Court Plaza, Box 3561  
Asheville, N.C. 28801  
(828) 393-6816 tlawton@ncdoj.gov  
N.C Bar # 19690

**CERTIFICATE OF SERVICE**

I certify that I served defendants and/or counsel for the opposing parties with the foregoing by depositing a copy or copies in the United States Mail, in a properly addressed envelope with adequate postage, in the manner prescribed by Rule 5 of the Rules of Civil Procedure, to the addresses below.

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Thomas O. Lawton III

COPIES TO:

Jeff Bandini  
3434 Edwards Mill Road  
Suite 112-266  
Raleigh, N.C. 27612

Rutherford Railroad Development Corporation  
By serving the Town Manager of the Town of Forest City,  
Janet Mason, or her successor in office  
128 North Powell Street  
Forest City, NC 28043

Bechtler Development Corporation  
By serving its Registered Agent, Jim Black  
622 Airport Road, Suite 100  
Rutherfordton, NC 28139

Town of Forest City  
By serving its Town Manager,  
Janet Mason or her successor in office  
128 North Powell Street  
Forest City, NC 28043

Town of Ruth  
By serving its Mayor, David Guy,  
Or his successor in office  
199 Northview-Dorsey Street  
Rutherfordton, NC 28139

Town of Rutherfordton  
By serving its Town Manager,  
Doug Barrick, or his successor in office  
129 North Main Street  
Rutherfordton, NC 28139

County of Rutherford  
By serving its County Manager,  
Steve Garrison, or his successor in office  
289 North Main Street  
Rutherfordton, NC 28139