



What's New?



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Class-Action Lawsuit Update:

The lawyers representing the plaintiffs (i.e. property owners) for the Class-Action lawsuit against WLCCC have filed a Motion for Preliminary Class Action Certification, a Notice of Hearing and a Calendar Request for a court date of Friday, the 19th of January (documents can be found at <https://www.restorewoodlake.com>). The hearing is for the certification of the "Classes" in the lawsuit and will be held in the Moore County Superior Court in Carthage.

We have confirmation that the hearing will occur on the 19th of January, as requested, with a target time of 9:30am, although actual time is still to be determined. The hearing is open to the public. Once we know the specific time and courtroom, we will update the community.

The next step after the certification of the "Classes" is the presentation of evidence to substantiate the suit's claim of damages.

Woodlake Dam Breach Update:

The following is a synopsis of the Woodlake dam breach status information we have received from the N.C. Department of Environmental Quality (DEQ/DEMLR/DENR), and N.C. Assistant Attorney General:

You may recall that WLCCC failed to meet the milestones and time table of the Moore County Superior Court Consent Judgment, despite having agreed to the terms and conditions of the Judgment. As a consequence, the N.C. Department of Environmental Quality assumed management and funding of the breach.

The breach contractor (*Thalle Construction*) completed construction of the breach on August 24th, 2017. Even though the construction portion of the project has been completed, the contractor is required to establish vegetation in the areas where the *ArmorMax* Turf Reinforcement was used in the spillway. This is an essential part of the design, and is needed to reinforce the breach slopes in order to handle increased velocities and volumes of water flow. Without the vegetation, the turf matting isn't as strong and stable, doesn't pass the design flow-through requirements, and could erode over time.

At this point, current estimates put the breach costs at approximately \$1.5M, but the costs have not yet been finalized since groundcover at the site still needs to be established for breach slope stabilization purposes, and that cost needs to be included in the final cost total. The effective establishment of appropriate groundcover is a *deliverable* in the State's contract with the *Thalle Construction Company*. Based on the current situation, finalization of the breach project and total cost compilation may not occur until spring or summer.

Upon receipt of the finalized cost, the State will initiate a collection action against Woodlake CC Corp. in Moore County Superior Court, seeking payment in full. To the extent there are terms of payment, those terms will be subject to the Judge's approval and the full authority and powers of the court.

The issue of WLCCC's failure to meet the letter and intent of their agreed upon Consent Judgment and any associated civil contempt citation remains a possibility, and is subject to the discretion of the State and the presiding Superior Court judge.

Stay tuned for more breaking news.