



Womble Bond Dickinson (US) LLP

555 Fayetteville Street t: 919.755.2100
Suite 1100 f: 919.755.2150
Raleigh, NC 27601

Ripley Rand
Direct Dial: 1.919.755.8125
Direct Fax: 1.919.755.6752
E-mail: ripley.rand@wbd-us.com

February 17, 2020

The Honorable Allen Baddour
Superior Court Judge
106 East Margaret Lane
Hillsborough, North Carolina 27278
Via email: jamie.n.richardson@nccourts.org

Re: *North Carolina Division Sons of Confederate Veterans, Inc. v. The University of North Carolina and The University of North Carolina Board of Governors*
Orange County File No. 19CVS1579

Dear Judge Baddour:

This letter is to respond to the Court's inquiry at the February 12, 2020, hearing in the case noted above. At the conclusion of the hearing, the Court inquired about the extent to which the Court should provide "direction" about the disposition of the Monument in its written Order concluding that the Consent Judgment in this case is void under Rule 60(b)(4) and dismissing Plaintiff's Complaint.

Following the Court's review and entry of the Consent Judgment on November 27, 2019, Defendants transferred the Monument to Plaintiff and funded the trust established by the Consent Judgment in an effort to follow the terms of the Consent Judgment. It is Defendants' position that the Court should retain jurisdiction over this matter sufficient to effectuate its February 12, 2020, decision to vacate the Consent Judgment.

It is Defendants' understanding that the Court's ruling in this case is limited to (1) that the Consent Judgment is void because Plaintiff lacks standing, and (2) that Plaintiff's Complaint is dismissed due to the lack of standing.

Based on that understanding, among the provisions that Defendants would ask the Court to include in its written Order are:

- (1) That the Court's Order is intended to the extent practicable to return the parties to the status quo that existed prior to the entry of the November 27, 2019, Consent Judgment;

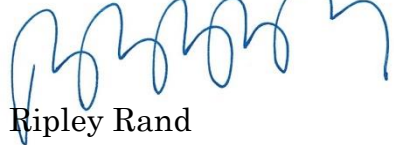


- (2) That the Trust established by the Consent Judgment be dissolved and the corpus of the Trust be returned to Defendants;
- (3) That there be an accounting of the Trust, including any fees of the Trustee for his work up to and including the dissolution of the Trust;
- (4) That Plaintiff return possession of the Monument to Defendants within 45 days of the entry of the Order;
- (5) That Defendants make appropriate arrangements in recognition of the safety and security risks highlighted in their filings with the Court to retake possession of the Monument and provide for the ultimate disposition of the Monument in compliance with North Carolina law; and
- (6) That the pending Motion to Stay is moot in light of the Court's order dismissing the lawsuit.

We are glad to address questions about these or other matters to the extent that the Court would like additional information about any of these issues. Thank you very much.

Very truly yours,

WOMBLE BOND DICKINSON (US) LLP



Ripley Rand