

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

FILED
IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

2019 NOV 27 A 11:12 File No. 19CVS 1579

NORTH CAROLINA DIVISION SONS
OF CONFEDERATE VETERANS,
INC., a North Carolina corporation,

ORANGE CO., C.S.C.

BY na

Plaintiff,

v.

THE UNIVERSITY OF NORTH
CAROLINA and THE UNIVERSITY
OF NORTH CAROLINA BOARD OF
GOVERNORS,

Defendants.

ANSWER

Defendants The University of North Carolina and The University of North Carolina Board of Governors (collectively, "Defendants"), respectfully respond to Plaintiff's Verified Complaint as follows:

PARTIES

1. Upon information and belief, Defendants admit the allegations in Paragraph 1.
2. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2, and the allegations are therefore denied.

3. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3, and the allegations are therefore denied.

4. Defendants admit the allegations in Paragraph 4.

5. Defendants admit the allegations in Paragraph 5.

6. Defendants admit the allegations in Paragraph 6.

7. Defendants admit the allegations in Paragraph 7.

8. Defendants deny the allegations in Paragraph 8.

9. Upon information and belief, Defendants admit the allegations in Paragraph 9.

10. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10, and the allegations are therefore denied.

JURISDICTION, VENUE, LIMITATIONS, AND STANDING

11. Defendants deny the allegations in Paragraph 11.

12. Defendants admit the allegations in Paragraph 12.

13. Upon information and belief, Defendants admit the allegations in Paragraph 13.

14. Defendants deny the allegations in Paragraph 14.

15. Defendants admit the allegations in Paragraph 15.

16. Defendants deny the allegations in Paragraph 16.

17. Defendants deny the allegations in Paragraph 17.

18. Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 18, and the allegations are therefore denied.

19. Paragraph 19 contains legal conclusions to which no response is required. To the extent that allegations in Paragraph 19 include facts to which a response is required, Defendants deny the allegations in Paragraph 19.

20. Paragraph 20 contains legal conclusions to which no response is required. To the extent that allegations in Paragraph 20 include facts to which a response is required, Defendants deny the allegations in Paragraph 20.

FACTUAL BACKGROUND

21. Upon information and belief, Defendants admit the allegations in Paragraph 21.

22. Upon information and belief, Defendants admit the allegations in Paragraph 22.

23. Defendants admit the allegations in Paragraph 23.

24. Defendants admit the allegations in Paragraph 24.

25. Defendants admit the allegations in Paragraph 25.

26. Defendants admit the allegations in Paragraph 26.

27. Defendants admit the allegations in Paragraph 27.

28. Defendants admit the allegations in Paragraph 28.

29. Defendants admit the allegations in Paragraph 29.

30. Defendants admit the allegations in Paragraph 30.

31. Defendants admit the allegations in Paragraph 31.
32. Defendants admit the allegations in Paragraph 32.
33. Defendants admit the allegations in Paragraph 33.
34. Defendants admit the allegations in Paragraph 34.
35. Defendants admit the allegations in Paragraph 35.
36. Defendants admit the allegations in Paragraph 36.
37. Defendants admit the allegations in Paragraph 37.
38. Defendants admit the allegations in Paragraph 38.
39. Defendants admit the allegations in Paragraph 39.
40. Defendants admit the allegations in Paragraph 40.
41. Defendants admit the allegations in Paragraph 41.
42. Defendants admit the allegations in Paragraph 42.
43. Defendants admit the allegations in Paragraph 43.
44. Defendants admit the allegations in Paragraph 44.
45. Defendants admit the allegations in Paragraph 45.
46. Defendants admit the allegations in Paragraph 46.
47. Defendants deny the allegations in Paragraph 47.
48. Defendants deny the allegations in Paragraph 48.
49. Defendants admit the allegations in Paragraph 49.
50. Defendants admit the allegations in Paragraph 50.
51. Defendants admit the allegations in Paragraph 51.
52. Defendants admit the allegations in Paragraph 52.

- 53. Defendants deny the allegations in Paragraph 53.
- 54. Defendants admit the allegations in Paragraph 54.
- 55. Defendants admit the allegations in Paragraph 55.
- 56. Defendants admit the allegations in Paragraph 56.

**FIRST CLAIM FOR RELIEF
(Declaratory Judgment – Monument Law)**

57. Defendants repeat and re-allege each response to each allegation in this Answer as if each were fully set forth herein.

- 58. Defendants admit the allegations in Paragraph 58.
- 59. Defendants deny the allegations in Paragraph 59.

60. Defendants admit that the contents of the statute speak for themselves and any other allegations in Paragraph 60 are denied.

61. Paragraph 61 contains legal conclusions to which no response is required. To the extent that allegations in Paragraph 61 include facts to which a response is required, Defendants deny the allegations in Paragraph 61.

62. Defendants admit that the contents of the statute speak for themselves and any other allegations in Paragraph 62 are denied.

63. Defendants admit that the contents of the statute speak for themselves and any other allegations in Paragraph 63 are denied.

64. Defendants admit the allegations in Paragraph 64.

65. Defendants admit that the contents of the statute speak for themselves and any other allegations in Paragraph 65 are denied.

66. Defendants admit that the contents of the statute speak for themselves and any other allegations in Paragraph 66 are denied.

67. Defendants admit that the contents of the statute speak for themselves and any other allegations in Paragraph 67 are denied.

68. Defendants admit the allegations in Paragraph 68.

69. Paragraph 69 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 69 include facts to which a response is required, Defendants deny the allegations in Paragraph 69.

70. Defendants deny the allegations in Paragraph 70.

71. Defendants deny the allegations in Paragraph 71.

72. Defendants admit the allegations in Paragraph 72.

73. Paragraph 73 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 73 include facts to which a response is required, Defendants deny the allegations in Paragraph 73.

74. Defendants deny the allegations in Paragraph 74.

75. Defendants deny the allegations in Paragraph 75.

**SECOND CLAIM FOR RELIEF
(Declaratory Judgment – Contract)**

76. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

77. Defendants admit the allegations in Paragraph 77.

78. Defendants deny the allegations in Paragraph 78.

79. Paragraph 79 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 79 include facts to which a response is required, Defendants deny the allegations in Paragraph 79.

80. Paragraph 80 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 80 include facts to which a response is required, Defendants deny the allegations in Paragraph 80.

81. Paragraph 81 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 81 include facts to which a response is required, Defendants deny the allegations in Paragraph 81.

82. Paragraph 82 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 82 include facts to which a response is required, Defendants deny the allegations in Paragraph 82.

83. Paragraph 83 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 83 include facts to which a response is required, Defendants deny the allegations in Paragraph 83.

84. Defendants deny the allegations in Paragraph 84.

85. Paragraph 85 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 85 include facts to which a response is required, Defendants deny the allegations in Paragraph 85.

86. Defendants deny the allegations in Paragraph 86.

**THIRD CLAIM FOR RELIEF
(Breach of Contract)**

87. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

88. Paragraph 88 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 88 include facts to which a response is required, Defendants deny the allegations in Paragraph 88.

89. Paragraph 89 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 89 include facts to which a response is required, Defendants deny the allegations in Paragraph 89.

90. Paragraph 90 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 90 include facts to which a response is required, Defendants deny the allegations in Paragraph 90.

91. Paragraph 91 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 91 include facts to which a response is required, Defendants deny the allegations in Paragraph 91.

92. Defendants deny the allegations in Paragraph 92.

93. Paragraph 93 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 93 include facts to which a response is required, Defendants deny the allegations in Paragraph 93.

94. Defendants admit the allegations in Paragraph 94.

95. Paragraph 95 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 95 include facts to which a response is required, Defendants deny the allegations in Paragraph 95.

96. Paragraph 96 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 96 include facts to which a response is required, Defendants deny the allegations in Paragraph 96.

97. Paragraph 97 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 97 include facts to which a response is required, Defendants deny the allegations in Paragraph 97.

98. Paragraph 98 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 98 include facts to which a response is required, Defendants deny the allegations in Paragraph 98.

99. Defendants deny the allegations in Paragraph 99.

**FOURTH CLAIM FOR RELIEF
(Specific Performance)**

100. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

101. Paragraph 101 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 101 include facts to which a response is required, Defendants deny the allegations in Paragraph 101.

102. Paragraph 102 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 102 include facts to which a response is required, Defendants deny the allegations in Paragraph 102.

103. Defendants deny the allegations in Paragraph 103.

**FIFTH CLAIM FOR RELIEF
(Declaratory Judgment – Conditional Gift)**

104. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

105. Defendants admit the allegations in Paragraph 105.

106. Defendants deny the allegations in Paragraph 106.

107. Paragraph 107 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 107 include facts to which a response is required, Defendants deny the allegations in Paragraph 107.

108. Defendants deny the allegations in Paragraph 108.

109. Paragraph 109 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 109 include facts to which a response is required, Defendants deny the allegations in Paragraph 109.

110. Paragraph 110 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 110 include facts to which a response is required, Defendants deny the allegations in Paragraph 110.

111. Paragraph 111 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 111 include facts to which a response is required, Defendants deny the allegations in Paragraph 111.

112. Paragraph 112 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 112 include facts to which a response is required, Defendants deny the allegations in Paragraph 112.

113. Paragraph 113 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 113 include facts to which a response is required, Defendants deny the allegations in Paragraph 113.

114. Paragraph 114 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 114 include facts to which a response is required, Defendants deny the allegations in Paragraph 114.

115. Paragraph 115 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 115 include facts to which a response is required, Defendants deny the allegations in Paragraph 115.

116. Paragraph 116 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 116 include facts to which a response is required, Defendants deny the allegations in Paragraph 116.

117. Defendants admit that the contents of the statute speak for themselves, and any other allegations in Paragraph 117 are denied.

118. Paragraph 118 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 118 include facts to which a response is required, Defendants deny the allegations in Paragraph 118.

119. Paragraph 119 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 119 include facts to which a response is required, Defendants deny the allegations in Paragraph 119.

120. Defendants deny the allegations in Paragraph 120.

**SIXTH CLAIM FOR RELIEF
(Quiet Title)**

121. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

122. Paragraph 122 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 122 include facts to which a response is required, Defendants deny the allegations in Paragraph 122.

123. Defendants deny the allegations in Paragraph 123.

**SEVENTH CLAIM FOR RELIEF
(Trespass to Chattel)**

124. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

125. Defendants admit the allegations in Paragraph 125.

126. Paragraph 126 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 126 include facts to which a response is required, Defendants deny the allegations in Paragraph 126.

127. Defendants deny the allegations in Paragraph 127.

128. Defendants deny the allegations in Paragraph 128.

129. Defendants deny the allegations in Paragraph 129.

130. Defendants deny the allegations in Paragraph 130.

131. Paragraph 131 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 131 include facts to which a response is required, Defendants deny the allegations in Paragraph 131.

132. Defendants deny the allegations in Paragraph 132.

**EIGHTH CLAIM FOR RELIEF
(Conversion)**

133. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

134. Paragraph 134 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 134 include facts to which a response is required, Defendants deny the allegations in Paragraph 134.

135. Defendants admit the allegations in Paragraph 135.

136. Defendants admit the allegations in Paragraph 136.

137. Defendants admit the allegations in Paragraph 137.

138. Paragraph 138 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 138 include facts to which a response is required, Defendants deny the allegations in Paragraph 138.

139. Paragraph 139 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 139 include facts to which a response is required, Defendants deny the allegations in Paragraph 139.

140. Paragraph 140 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 140 include facts to which a response is required, Defendants deny the allegations in Paragraph 140.

141. Defendants deny the allegations in Paragraph 141.

**NINTH CLAIM FOR RELIEF
(Replevin/Claim and Delivery)**

142. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

143. Paragraph 143 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 143 include facts to which a response is required, Defendants deny the allegations in Paragraph 143.

144. Defendants deny the allegations in Paragraph 144.

145. Defendants admit that the UDC requested on August 22, 2018, that Defendants return the Confederate Monument to the UDC. Defendants deny all other allegations in Paragraph 145.

146. Defendants admit the allegations in Paragraph 146.

147. Defendants admit that they have not returned the Confederate Monument to UDC. The rest of Paragraph 147 contains legal conclusions to which no response is required. To the extent that the remaining allegations in Paragraph 147 include facts to which a response is required, Defendants deny the remaining allegations in Paragraph 147.

148. Defendants deny the allegations in Paragraph 148.

149. Defendants deny the allegations in Paragraph 149.

**TENTH CLAIM FOR RELIEF
(Quasi-Contract/Unjust Enrichment)**

150. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

151. Paragraph 151 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 151 include facts to which a response is required, Defendants deny the allegations in Paragraph 151.

152. Paragraph 152 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 152 include facts to which a response is required, Defendants deny the allegations in Paragraph 152.

153. Paragraph 153 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 153 include facts to which a response is required, Defendants deny the allegations in Paragraph 153.

154. Defendants admit the allegations in Paragraph 154.

155. Paragraph 155 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 155 include facts to which a response is required, Defendants deny the allegations in Paragraph 155.

156. Paragraph 156 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 156 include facts to which a response is required, Defendants deny the allegations in Paragraph 156.

157. Defendants deny the allegations in Paragraph 157.

**ELEVENTH CLAIM FOR RELIEF
(Constructive Trust)**

158. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

159. Defendants deny the allegations in Paragraph 159.

160. Paragraph 160 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 160 include facts to which a response is required, Defendants deny the allegations in Paragraph 160.

161. Defendants deny the allegations in Paragraph 161.

162. Paragraph 162 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 162 include facts to which a response is required, Defendants deny the allegations in Paragraph 162.

**TWELFTH CLAIM FOR RELIEF
(Negligence/Damage to Property)**

163. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

164. Defendants deny the allegations in Paragraph 164.

165. Defendants admit the allegations in Paragraph 165.

166. Defendants deny the allegations in Paragraph 166.

167. Paragraph 167 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 167 include facts to which a response is required, Defendants deny the allegations in Paragraph 167.

168. Paragraph 168 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 168 include facts to which a response is required, Defendants deny the allegations in Paragraph 168.

169. Paragraph 169 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 169 include facts to which a response is required, Defendants deny the allegations in Paragraph 169.

170. Paragraph 170 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 170 include facts to which a response is required, Defendants deny the allegations in Paragraph 170.

171. Defendants deny the allegations in Paragraph 171.

**THIRTEENTH CLAIM FOR RELIEF
(Injunction)**

172. Defendants repeat and re-allege each response to each allegation as set forth in this Answer as if each were fully set forth herein.

173. Paragraph 173 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 173 include facts to which a response is required, Defendants deny the allegations in Paragraph 173.

174. Defendants admit that the Confederate Monument is a historic creation that is over 100 years old. The rest of Paragraph 174 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 174 include facts to which a response is required, Defendants deny the remaining allegations in Paragraph 174.

175. Paragraph 175 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 175 include facts to which a response is required, Defendants deny the allegations in Paragraph 175.

176. Paragraph 176 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 176 include facts to which a response is required, Defendants deny the allegations in Paragraph 176.

177. Paragraph 177 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 177 include facts to which a response is required, Defendants deny the allegations in Paragraph 177.

178. Paragraph 178 contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph 178 include facts to which a response is required, Defendants deny the allegations in Paragraph 178.

179. Defendants deny the allegations in Paragraph 179.

AFFIRMATIVE DEFENSES

Subject to the responses set forth above, Defendants allege and assert the following affirmative defenses in response to Plaintiff's allegations, undertaking the burden of proof only as to those defenses deemed affirmative under North Carolina law.

First Defense

Defendants affirmatively allege that Plaintiff's Complaint fails to state any claim upon which relief can be granted.

Second Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because Plaintiff lacks standing to bring claims against Defendants.

Third Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because there is no private right of action for which Plaintiff may seek a remedy.

Fourth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because of a lack of subject matter jurisdiction.

Fifth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because jurisdiction is not proper in this Court.

Sixth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the doctrine of sovereign immunity.

Seventh Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the applicable statute of limitations.

Eighth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because of the failure of Plaintiff to join a necessary party.

Ninth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the doctrine of waiver.

Tenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the doctrine of estoppel.

Eleventh Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the doctrine of laches.

Twelfth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because Plaintiff failed to exhaust administrative remedies.

Thirteenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because of a lack of consideration necessary to form a contract.

Fourteenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by a prior material breach of the contract.

Fifteenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the statute of frauds.

Sixteenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the parol evidence rule.

Seventeenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the common law rule against perpetuities and the North Carolina Uniform Rule Against Perpetuities.

Eighteenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part by the defense of duress.

Nineteenth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because the transfer of the Confederate Monument to the University of North Carolina was a completed gratuitous gift.

Twentieth Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because of the doctrine of assumption of the risk.

Twenty-First Defense

Defendants affirmatively allege that Plaintiff's claims asserted against Defendants are barred in whole or in part because they are nonjusticiable.

Twenty-Second Defense

As to the matters set forth in Plaintiff's Prayer for Relief:

A. Paragraph A contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph A include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph A.

B. Paragraph B contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph B include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph B.

C. Paragraph C contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph C include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph C.

D. Paragraph D contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph D include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph D.

E. Paragraph E contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph E include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph E.

F. Paragraph F contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph F include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph F.

G. Paragraph G contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph G include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph G.

H. Paragraph H contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph H include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph H.

I. Paragraph I contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph I include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph I.

J. Paragraph J contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph J include facts to which a response is

required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph J.

K. Paragraph K contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph K include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph K.

L. Paragraph L contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph L include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph L.

M. Paragraph M contains legal conclusions to which no response is required. To the extent that the allegations in Paragraph M include facts to which a response is required, Defendants deny that the Plaintiffs are entitled to the relief requested in Paragraph M.

WHEREFORE, based on the foregoing, Defendants pray to the Court as follows:

1. Plaintiff should have and recover nothing;
2. Plaintiff's claims should be dismissed with prejudice;
3. The costs of this action should be taxed against Plaintiff;
4. Defendants' attorneys' fees should be taxed against Plaintiff; and

5. Any other and further relief as the Court may deem just and proper.

This, the 21st day of November, 2019.

WOMBLE BOND DICKINSON (US) LLP



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