

STATE OF NORTH CAROLINA

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
17 BMS 02004

COUNTY OF CUMBERLAND

NORTH CAROLINA BOARD OF FUNERAL SERVICE,	)
Petitioner,	)
	)
v.	)
	)
CODY T. MCCAIN, HENRY COLVIN, JR., and	)
COLVIN FUNERAL HOME & CREMATORY,	)
Respondents.	)

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**PETITIONER’S MOTION FOR MEDIATED SETTLEMENT CONFERENCE**

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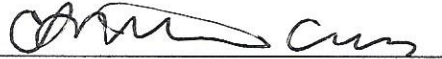
NOW COMES the North Carolina Board of Funeral Service (“Petitioner Board”), by and through its undersigned Counsel, and submits this Motion for Mediated Settlement Conference in accordance with Chapter 150B of the NC General Statutes and 26 N.C. Admin. Code 03 .0201(e) and shows unto the Administrative Law Judge in support of this motion the following:

1. On April 19, 2017, Petitioner Board filed its Prehearing Statement and requested, per its **“Other Special Considerations”** listed in Para. 11, that “a mediated settlement conference be scheduled during the week beginning May 22, 2017.”
2. Petitioner Board believes that a mediated settlement conference will assist the parties in resolving certain disputes in this contested case; and, if unable to resolve some or all of the disputed issues, will assist the parties in narrowing the issues and preparing for hearing.

WHEREFORE, Petitioner Board requests that:

- I. Petitioner Board’s Motion for Mediated Settlement Conference be granted; and
- II. A mediated settlement conference be ordered to be held during the week beginning May 22, 2017 in the above-referenced contested case.

This the 2<sup>nd</sup> day of May, 2017.



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FUNERAL SERVICE  
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**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this date served the foregoing **Petitioner Board's Motion for Mediated Settlement Conference** upon the following counsel of record by depositing a copy of the foregoing document in the United States Mail, Certified Mail, return-receipt requested as follows:

Quintin D. Byrd, Esq.  
The Charleston Group  
P.O. Box 1762  
Fayetteville, NC 28302  
*Attorney for Colvin Funeral Home and Crematory  
and Henry Colvin, Jr.*

Benn A. Brewington, III, Esq.  
Brewington Law Group PLLC  
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Raleigh, North Carolina 27601  
*Attorney for Cody T. McCain*

This the 2<sup>nd</sup> day of May, 2017.

  
Christina D. Cress