

STATE OF NORTH CAROLINA  
COUNTY OF BEAUFORT

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO.: 16-CVS-822

MILDRED G. BOWMAN; ALBERT AND )  
BERTHA BAKER; RONNIE CLARK; )  
JULIAN P. GOFF; O.C. JONES, JR.; )  
SONYA Y. JONES; and W. AXON SMITH, )  
on behalf of themselves and all other )  
similarly situated members of Pantego Creek, )  
LLC, )

Plaintiffs )

v. )

DEBORAH SPARROW; BRANTLEY )  
TILLMAN; LYNN ROSS; and DARREN )  
ARMSTRONG, )

Defendants )

**DEFENDANTS' NOTICE  
OF FILING  
(OTHR)**

PLEASE TAKE NOTICE that Defendants Deborah Sparrow, Brantley Tillman, Lynn Ross, and Darren Armstrong, each a Manager of Pantego Creek, LLC, by and through the undersigned attorney, hereby are filing the following Affidavits in support of Defendants' Motion to Dismiss Amended Complaint and Motion for Expenses:

1. Affidavit of Ellen D. Allen;
2. Affidavit of Judy E. Allen;
3. Affidavit of Sandra E. Andrews;
4. Affidavit of Darren Armstrong;
5. Affidavit of Delbert Armstrong;
6. Affidavit of Albert Baker;
7. Affidavit of Oran Martin Benson;
8. Affidavit of Jeff Best;
9. Affidavit of Mary E. Blythe;
10. Affidavit of Dianne L. Bowen;
11. Affidavit of G.B. Bowen II;

12. Affidavit of George B. Bowen;
13. Affidavit of Stacey R. Bowen;
14. Affidavit of Henry E. Boyd III;
15. Affidavit of Elizabeth C. Carr;
16. Affidavit of Douglas Clark;
17. Affidavit of John Corbett;
18. Affidavit of Jerry D. Cox, Jr.;
19. Affidavit of Jimmy L. Cox;
20. Affidavit of Cynthia Ross Daw;
21. Affidavit of Suzanne Dohl;
22. Affidavit of Chuck Dunbar;
23. Affidavit of Myron Elliott;
24. Affidavit of Gloria E. Gray;
25. Affidavit of Cynthia M. Heath;
26. Affidavit of Robert F. Holz;
27. Affidavit of Jay D. Jacobs;
28. Affidavit of Deborah C. Johnson;
29. Affidavit of Sally B. Johnston;
30. Affidavit of Gregory L. Jones, M.D.;
31. Affidavit of Marian D. Keech;
32. Affidavit of Arthur H. Keeney III;
33. Affidavit of Ann C. Latham;
34. Affidavit of Charles F. Latham, Jr.;
35. Affidavit of Margarete S. Laughinghouse (by Dianne L. Bowen, POA);
36. Affidavit of Linda P. Medhin;
37. Affidavit of Marcy S. Morgan;
38. Affidavit of Shirley L. O'Neal;
39. Affidavit of Walton P. O'Neal III;
40. Affidavit of Victoria E. Paul;

41. Affidavit of Larry P. Pleasant;
42. Affidavit of Julius H. Purvis, Jr.;
43. Affidavit of Mary Susan Howard Radcliffe;
44. Affidavit of Carolyn C. Ricks;
45. Affidavit of Lynn D. Ross;
46. Affidavit of Doane A. Rouse, Jr.;
47. Affidavit of Guy Shavender, Jr.;
48. Affidavit of Gilbert L. Smith;
49. Affidavit of Harold Smith;
50. Affidavit of Cindy Sawyer Smithwick;
51. Affidavit of Debrah Y. Sparrow;
52. Affidavit of Terry Vann Sparrow, Jr.;
53. Affidavit of Peggy Cox Taylor;
54. Affidavit of Brantley Tillman;
55. Affidavit of Delma R. Tolan, Jr.;
56. Affidavit of Alexander Dixon Tunnell; and
57. Affidavit of Samuel R. Windley.

[SIGNATURE APPEARS ON NEXT PAGE]

This the 13th day of December, 2016.

/s/John M. Martin

John M. Martin

N.C. State Bar I.D. No.: 006751

email: [jmm@wardandsmith.com](mailto:jmm@wardandsmith.com)

Michael J. Parrish

N.C. State Bar I.D. No.: 38419

email: [mjp@wardandsmith.com](mailto:mjp@wardandsmith.com)

For the firm of

Ward and Smith, P.A.

Post Office Box 867

New Bern, NC 28563-0867

Telephone: 252.672.5400

Facsimile: 252.672.5477

Attorneys for Defendants

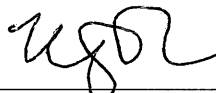
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing DEFENDANTS' NOTICE OF FILING by depositing a copy thereof in an envelope bearing sufficient postage in the United States mail addressed to the following persons at the following addresses which are the last addresses known to me:

Geeta N. Kapur, Esq.  
Post Office Box 51035  
Durham, NC 27717  
Counsel for Plaintiffs

Alan McSurely, Esq.  
415 West Patterson Place  
Chapel Hill, NC 27516  
Counsel for Plaintiffs

This the 13th day of December, 2016.

 38419  
for John M. Martin

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John M. Martin  
N.C. State Bar I.D. No.: 006751  
email: [jmm@wardandsmith.com](mailto:jmm@wardandsmith.com)  
For the firm of  
Ward and Smith, P.A.  
Post Office Box 867  
New Bern, NC 28563-0867  
Telephone: 252.672.5400  
Facsimile: 252.672.5477  
Attorneys for Defendants

Affidavit of Ellen D. Allen

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

Ellen J. Allen

Printed name: Ellen J. Allen  
(2 member step 5)

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

Marian D. Keech  
NOTARY PUBLIC

My commission expires: 4-16-2020



Affidavit of Judy E. Allen

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

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6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

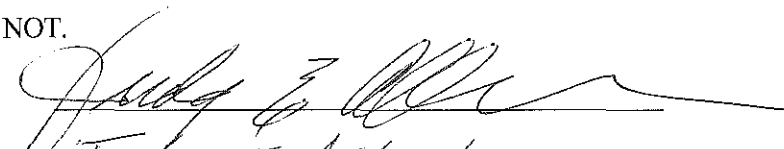
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

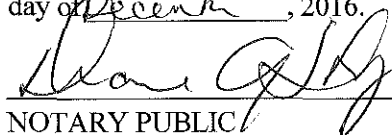
10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: Judy E. Allen

Sworn to and subscribed  
before me this the 8<sup>th</sup>  
day of December, 2016.  
  
NOTARY PUBLIC

**Diane G. Stringer**  
**Notary Public - South Carolina**  
**My Comm. Exp. March 31, 2021**

My commission expires: March 31, 2021

Affidavit of Sandra E. Andrews

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

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9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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FURTHER THIS AFFIANT SAITH NOT.

Sandra F. Andrews

Printed name: SANDRA F. ANDREWS

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of DECEMBER, 2016.

Mary A. Solan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Darren Armstrong

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT:

*Darren Armstrong*

Printed name: Darren Armstrong

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

*Marian D. Keech*

NOTARY PUBLIC

My commission expires: 4-16-2020

Affidavit of Delbert Armstrong

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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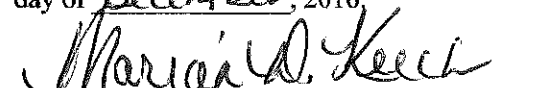
(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.



Printed name: DELBERT ARMSTRONG

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of September, 2016,

  
NOTARY PUBLIC

My commission expires: 4-16-2020

Affidavit of Albert Baker

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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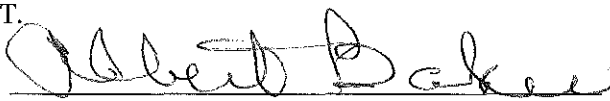
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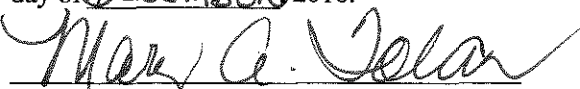
8. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: Albert Baker

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Oran Martin Benson



## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

*Dran Martin Benson*

Printed name: DRAN MARTIN BENSON

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER, 2016.

*May A. Selam*  
NOTARY PUBLIC

My commission expires: 12-15-2016

8

Affidavit of Jeff Best

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.


9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

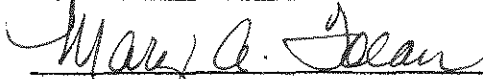
(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
\_\_\_\_\_  
Printed name: Jeff Best

Sworn to and subscribed  
before me this the 3rd  
day of DECEMBER, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Mary E. Blythe

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

Mary E. Blythe

Printed name: Mary E. Blythe

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Tolan  
NOTARY PUBLIC

My commission expires: 12-15-2016



10

Affidavit of Dianne L. Bowen

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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FURTHER THIS AFFIANT SAITH NOT.

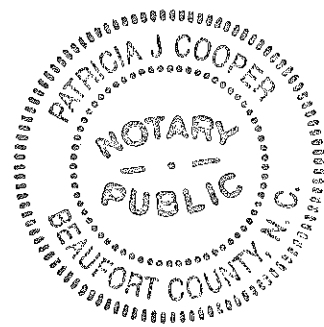
*Dianne L. Bowen*

Printed name: DIANNE L. BOWEN

Sworn to and subscribed  
before me this the 5  
day of December, 2016.

*Patricia J. Cooper*  
NOTARY PUBLIC

My commission expires: 03.03.2018



Affidavit of G.B. Bowen II

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

G.B. Bowen II

Printed name: G.B. Bowen II

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER, 2016.

Mary A. Solan  
NOTARY PUBLIC

My commission expires: 12-15-2016

12

Affidavit of George B. Bowen

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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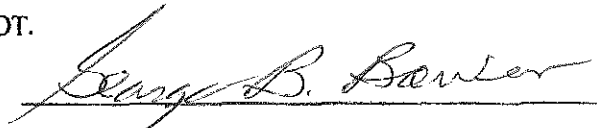
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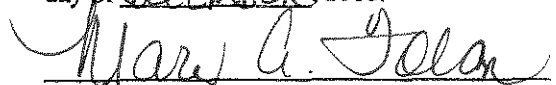
(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.



Printed name: GEORGE B BOWEN

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Stacey R. Bowen

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

Stacey R Bower

Printed name: Stacey R Bower

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER, 2016.

Mary C. Jordan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Henry E. Boyd III

## AFFIDAVIT

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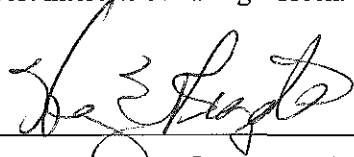
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FURTHER THIS AFFIANT SAITH NOT.



Printed name:

HENRY E. BOYD III

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Jordan  
NOTARY PUBLIC

My commission expires: 12-15-2016

15

Affidavit of Elizabeth C. Carr



## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

Elizabeth C Carr

Printed name: Elizabeth C. Carr

Sworn to and subscribed  
before me this the 5  
day of Dec, 2016.

Katherine M. McClure  
NOTARY PUBLIC



KATHERINE M. MCCLURE  
MY COMMISSION # FF 215914  
EXPIRES: May 29, 2019  
Bonded Thru Budget Notary Services

My commission expires: 5/29/2019

16

Affidavit of Douglas Clark

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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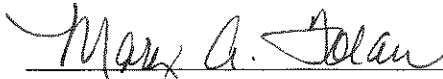
(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
\_\_\_\_\_  
Printed name: DOUGLAS CLARK

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of John Corbett

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

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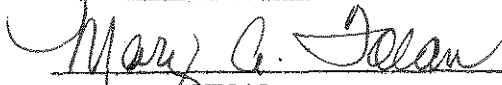
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(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: John Corbett

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016



18

Affidavit of Jerry D. Cox, Jr.

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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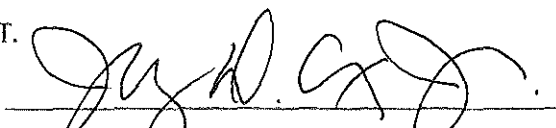
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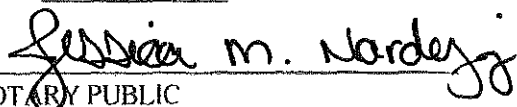
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FURTHER THIS AFFIANT SAITH NOT.

  
\_\_\_\_\_  
Printed name: JERRY D. COX, JR.

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: OCT. 25, 2020

Jessica M Nardozzi  
NOTARY PUBLIC  
Craven County, NC  
My Commission Expires October 25, 2020

Affidavit of Jimmy L. Cox

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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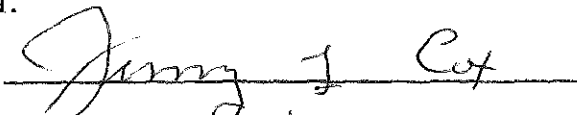
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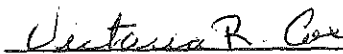
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FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: Jimmy L. Cox

Sworn to and subscribed  
before me this the 14<sup>th</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 01-27-19

Affidavit of Cynthia Ross Daw

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

Cynthia Ross Daw  
Printed name: Cynthia Ross Daw

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Tolan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Suzanne Dohl

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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FURTHER THIS AFFIANT SAITH NOT.

Suzanne Dohi

Printed name: SUZANNE DOHI

Sworn to and subscribed  
before me this the 1<sup>st</sup>  
day of December, 2016.

Susan D Smith  
NOTARY PUBLIC

My commission expires: April 22, 2020

Affidavit of Chuck Dunbar

## AFFIDAVIT

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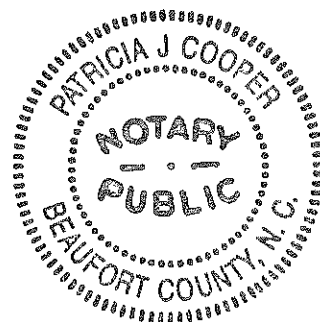
Chuck Dunbar

Printed name: Chuck Dunbar

Sworn to and subscribed  
before me this the 5  
day of DEC, 2016.

Patricia J. Cooper  
NOTARY PUBLIC

My commission expires: 03.03.2018



Affidavit of Myron Elliott



## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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FURTHER THIS AFFIANT SAITH NOT.

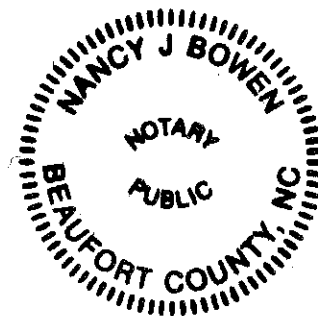
Myron Elliott

Printed name: Myron Elliott

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

Nancy J Bowen  
NOTARY PUBLIC

My commission expires: May 15, 2020



Affidavit of Gloria E. Gray

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

Printed name: Gloria E. Gray

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of December, 2016.

Marian D. Keck  
NOTARY PUBLIC

My commission expires: 4-16-2020

Affidavit of Cynthia M. Heath

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.


9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: Cynthia M. Heath

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016



Affidavit of Robert F. Holz

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

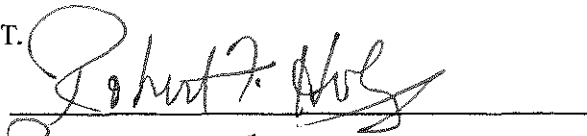
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.



Printed name:

ROBERT F. HOLZ

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Nolan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Jay D. Jacobs

## AFFIDAVIT

1. I am over eighteen (18) years of age, and do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit.

2. The matters stated herein are matters of my own personal knowledge, except such matters as may be designated as being upon information and belief.

3. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I furthermore currently hold all rights granted to members generally under the Pantego Creek operating agreement.

4. I am aware of lawsuit pending before the Beaufort County, North Carolina Superior Court, File No. 16 CVS 822. I have reviewed the allegations made by the Plaintiffs in their complaint ["Complaint"].

5. I am also aware that the Complaint makes allegations regarding the withholding or misrepresentation of certain information [the "Disputed Facts"] pertaining to the former Pungo District Hospital campus ["the Property"], the closure of Pungo District Hospital and efforts to reopen that hospital.

6. I am further aware that the suit alleges had I been more thoroughly or accurately informed by the managers of Pantego Creek as to the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

7. However, and contrary to the allegations contained in the Complaint, at all times the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding the LLC's affairs, including but not limited to the controversy surrounding the closure of the former Pungo District Hospital and the ownership of the Property.

8. Furthermore, the position of the Town of Belhaven and Pantego Creek Medical Center

regarding the Property and the Dispute Facts has been well broadcast, through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and is “common knowledge” in and around Belhaven, North Carolina.

9. The Complaint contains no facts or allegations which would have caused me to vote differently in the past regarding any matter related to Pantego Creek, LLC, nor does the Complaint contain any facts or allegations that lead me to believe any actions of the LLC to date have not been in the best interests of the LLC or its members.

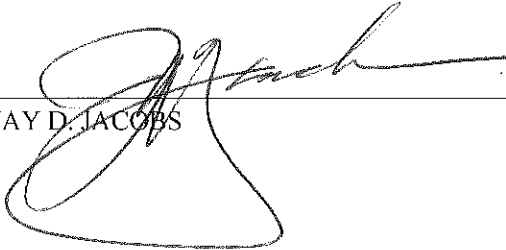
10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) would never vote to support any sale of the Property to the Town of Belhaven or Pungo Medical Center;

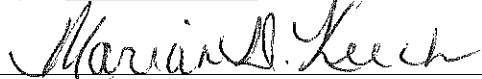
(b) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(c) vote that the action represented by Complaint is not in the best interests of Pantego Creek and should be dismissed.

FURTHER THIS AFFIANT SAITH NOT.

  
\_\_\_\_\_  
JAY D. JACOBS

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of December, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: 4-16-2020

Affidavit of Deborah C. Johnson



## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

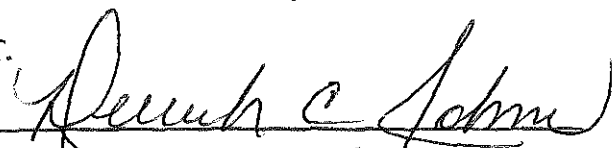
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: Deborah C. Johnson

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of DECEMBER, 2016.

Victoria R. Cox  
NOTARY PUBLIC

My commission expires: 01-27-19

Affidavit of Sally B. Johnston

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

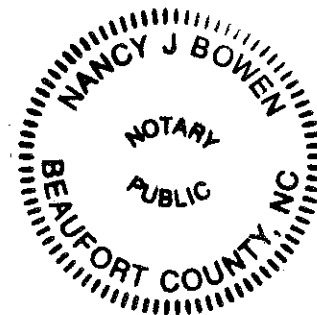
Sally B. Johnston

Printed name: Sally B. Johnston

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

Nancy J Bowen  
NOTARY PUBLIC

My commission expires: May 15, 2026



Affidavit of Gregory L. Jones, M.D.

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

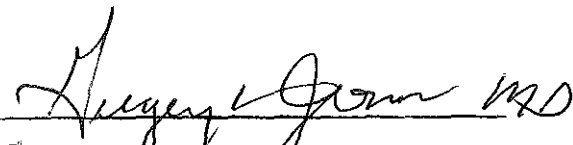
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

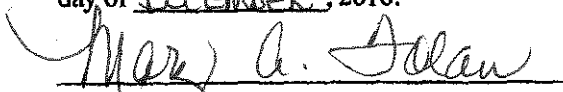
(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: Gregory L Jones MD

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016



Affidavit of Marian D. Keech

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and was "common knowledge" in and around Belhaven, North Carolina.

8. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

9. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

Marian D. Keech

Printed name: Marian D. Keech

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

Susan D. Smith  
NOTARY PUBLIC

My commission expires: April 22, 2020

Affidavit of Arthur H. Keeney III

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

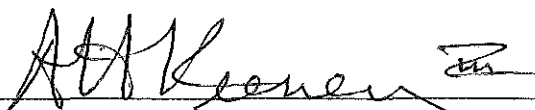
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the manager's of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

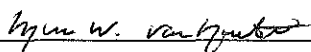
(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: ARTHUR H. KEENEY III

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of December, 2016.

  
NOTARY PUBLIC

My commission expires: 10/14/18

Affidavit of Ann C. Latham

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well



broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFLIANT SAITH NOT.

Ann C Latham

Printed name: ANN C. LATHAM

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Jordan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Charles F. Latham, Jr.

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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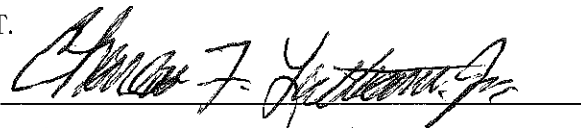
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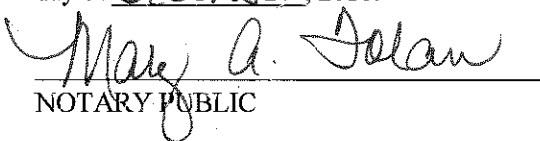
(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.



Printed name: CHARLES F. LATHAM, JR.

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.



NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Margarett S. Laughinghouse  
(by Dianne L. Bowen, POA)

## AFFIDAVIT

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6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

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9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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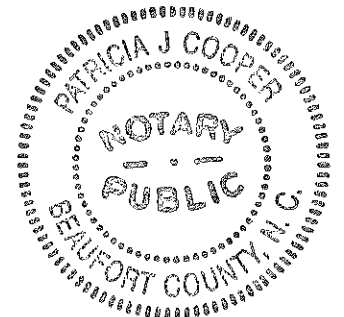
FURTHER THIS AFFIANT SAITH NOT. Margarette S. Laughinghouse  
By Dianne L. Bowen POA

Printed name: MARGARETTE S. LAUGHINGHOUSE BY DIANNE L. BOWEN POA

Sworn to and subscribed  
before me this the 5  
day of December, 2016.

Patricia J. Cooper  
NOTARY PUBLIC

My commission expires: 03.03.2018



Affidavit of Linda P. Medhin



## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

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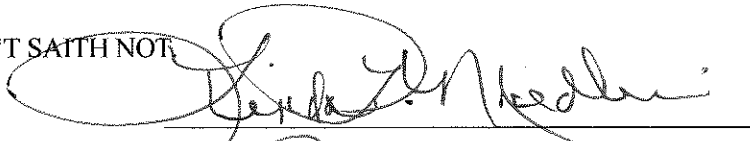
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8. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

9. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT



Printed name:

Linda F. Medkin

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Tolan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Marcy S. Morgan

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

Marcy A. Morgan  
Printed name: Marcy S. Morgan

Sworn to and subscribed  
before me this the 4th  
day of December, 2016.

Marvin D. Keech  
NOTARY PUBLIC

My commission expires: 4-16-2020

Affidavit of Shirley L. O'Neal

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

Shirley L. O'Neal  
Printed name: Shirley L. O'Neal

Sworn to and subscribed  
before me this the 3rd  
day of DECEMBER, 2016.

Mary A. Jolan  
NOTARY PUBLIC

My commission expires: 12-15-2016



Affidavit of Walton P. O'Neal III

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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FURTHER THIS AFFIANT SAITH NOT.



Printed name: Walton P O'Neal III

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Solan  
NOTARY PUBLIC

My commission expires: 12-15-2016

40

Affidavit of Victoria E. Paul

## AFFIDAVIT

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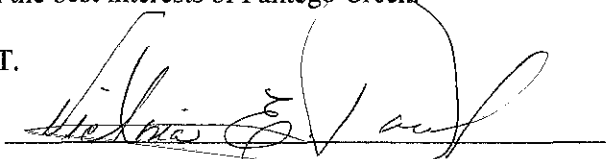
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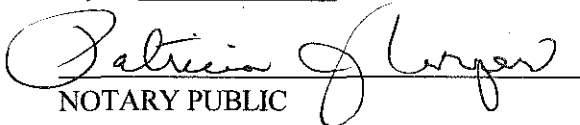
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FURTHER THIS AFFIANT SAITH NOT.



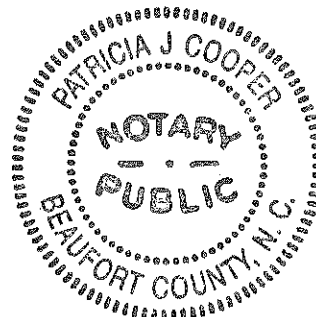
Printed name: Victoria E. Paul

Sworn to and subscribed  
before me this the 5  
day of December, 2016.



NOTARY PUBLIC

My commission expires: 03.03.2018



Affidavit of Larry P. Pleasant

## AFFIDAVIT

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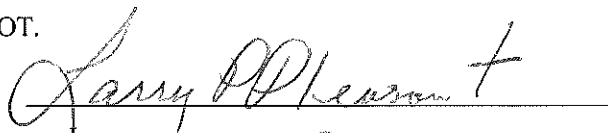
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10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

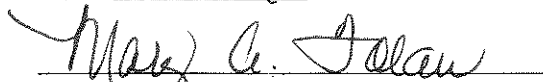
FURTHER THIS AFFIANT SAITH NOT.



Printed name:

LARRY P PLEASANT

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Julius H. Purvis, Jr.

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

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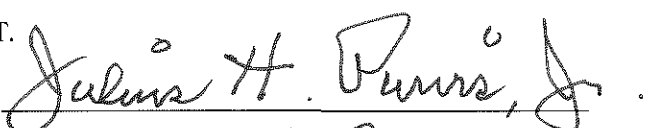
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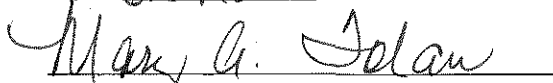
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(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFLIANT SAITH NOT.

  
Printed name: JULIUS H. PURVIS, JR.

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Mary Susan Howard Radcliffe

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

Mary Susan Howard Radcliffe

Printed name: MARY Susan Howard Radcliffe

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Tolaw  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Carolyn C. Ricks



## AFFIDAVIT

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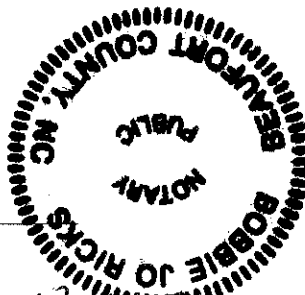
(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

Printed name: Carolyn C. Ricks  
Carolyn C. Ricks

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

Bobbie Jo Ricks  
NOTARY PUBLIC



My commission expires: October 13, 2018

45

Affidavit of Lynn D. Ross

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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FURTHER THIS AFFIANT SAITH NOT.

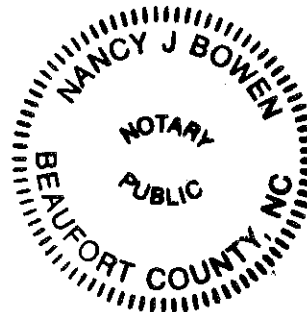
Lynn D. Boss

Printed name: Lynn D. Boss

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

Nancy J. Bowen  
NOTARY PUBLIC

My commission expires: May 15, 2020



Affidavit of Doane A. Rouse, Jr.

Affidavit of Doane A. Rouse, Jr.

## AFFIDAVIT

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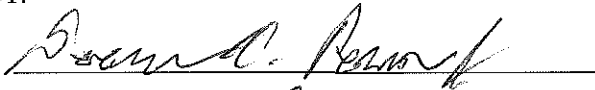
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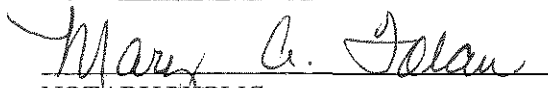
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FURTHER THIS AFFIANT SAITH NOT.



Printed name: Duane A. Rouse Jr.

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Guy Shavender, Jr.

## AFFIDAVIT

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FURTHER THIS AFFIANT SAITH NOT.

Printed name: Cory Shaver

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Tolson  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Gilbert L. Smith

## AFFIDAVIT

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FURTHER THIS AFFIANT SAITH NOT.



Printed name: GILBERT L. SMITH

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Harold Smith



## AFFIDAVIT

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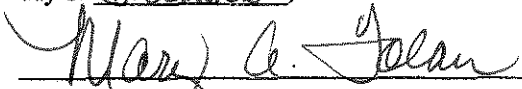
(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.



Printed name: HAROLD SMITH

Sworn to and subscribed  
before me this the 9<sup>th</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Cindy Sawyer Smithwick

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

3. I am aware of the lawsuit filed in the Beaufort County Superior Court, File No. 16-CVS-822 by several members of Pantego Creek. I have reviewed the allegations and relief requested by the Plaintiffs in their complaint in that lawsuit (the "Complaint").

4. I am aware that the Complaint alleges that the managers of Pantego Creek withheld or misrepresented information (the "Disputed Facts") pertaining to the former Pungo District Hospital campus (the "Property"), the closure of Pungo District Hospital, and efforts to reopen that hospital.

5. I am aware that the Complaint assumed that, had I, as a member of Pantego Creek, been informed of the Disputed Facts, I may have (a) voted differently at a membership meeting held on February 25, 2014; (b) voted "NO" regarding the demolition of the buildings located on the Property; and/or (c) voted "YES" regarding a proposed sale of the Property to Pungo Medical Center.

6. Contrary to the allegations of the Complaint, I believe that the managers of Pantego Creek have kept me fully and honestly informed of all events, facts and circumstances regarding Pantego Creek's affairs, including but not limited to the decision to close the former Pungo District Hospital and ownership of the Property.

7. Contrary to the allegations of the Complaint, I have been aware of the Disputed Facts, and the positions of the Town of Belhaven, Pantego Creek Medical Center, and others regarding the Property and Pungo District Hospital. The Disputed Facts and the respective positions have been well

broadcast through local media outlets, by paid advertising and at meetings of the Town of Belhaven, and are "common knowledge" in and around Belhaven, North Carolina.

8. At the membership meeting held on February 25, 2014, I voted to approve Vidant's proposal because I believed it to be in the best interests of Pantego Creek and the community. Likewise, I voted in favor of the demolition of the Pungo Medical Center because I believed it to be in the best interests of Pantego Creek and the community.

9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:

(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFIANT SAITH NOT.

Cindy Sawyer Smithwick  
Printed name: Cindy Sawyer Smithwick

Sworn to and subscribed  
before me this the 5<sup>th</sup>  
day of December, 2016.

Myra W. VanJordan  
NOTARY PUBLIC

My commission expires: 10/14/18

Affidavit of Debrah Y. Sparrow

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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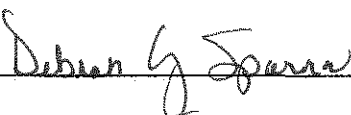
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

10. Therefore, based upon my own inquiry and my familiarity with the facts and circumstances surrounding the closure of Pungo District Hospital and the status of the Property, I:


(a) ratify my prior vote supporting the demolition and removal of the buildings from the Property; and,

(b) vote and believe that the relief requested in the Complaint, or any other request for a rescission of any prior vote, the conduct of a new vote, or the appointment of a "special officer" to conduct a membership meeting, is not in the best interests of Pantego Creek.

FURTHER THIS AFFILIANT SAITH NOT.

  
\_\_\_\_\_  
Printed name: Debrah Y. Sparrow

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: 4-16-2020



Affidavit of Terry Vann Sparrow, Jr.

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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FURTHER THIS AFFLIANT SAITH NOT.

Printed name: Terry Dawn Sparrow Jr

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of December, 2016.

Marcia D. Kerch  
NOTARY PUBLIC

My commission expires: 4-16-2020

Affidavit of Peggy Cox Taylor

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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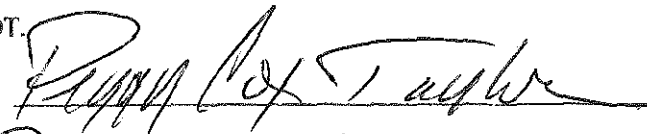
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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FURTHER THIS AFFIANT SAITH NOT.

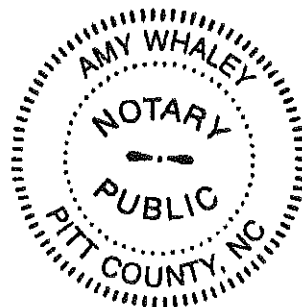


Printed name: PEGGY COX TAYLOR

Sworn to and subscribed  
before me this the 5  
day of December, 2016.

  
NOTARY PUBLIC Amy Whaley

My commission expires: 03/31/2020



Affidavit of Brantley Tillman

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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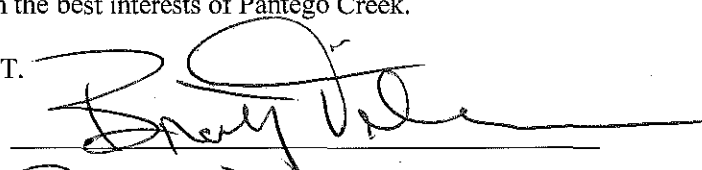
9. The Complaint contains no facts or allegations which, even taken as true, would have caused me to vote differently in the past regarding any matter related to Pantego Creek, nor does the Complaint contain any facts or allegations that lead me to believe any actions of Pantego Creek or the managers of Pantego Creek to date have not been in the best interests of Pantego Creek or its members.

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FURTHER THIS AFFIANT SAITH NOT.



Printed name: BRANTLEY TILLMAN

Sworn to and subscribed  
before me this the 3<sup>rd</sup>  
day of DECEMBER, 2016.

Mary A. Tolan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Delma R. Tolan, Jr.

## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

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FURTHER THIS AFFIANT SAITH NOT.

Delma R. Tolan, Jr.

Printed name: DELMA R. TOLAN, JR.

Sworn to and subscribed  
before me this the 3rd  
day of DECEMBER, 2016.

Mary A. Tolan  
NOTARY PUBLIC

My commission expires: 12-15-2016

Affidavit of Alexander Dixon Tunnell

## AFFIDAVIT

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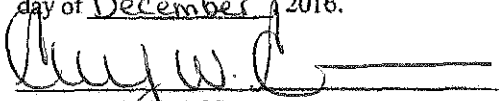
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FURTHER THIS AFFIANT SAITH NOT.

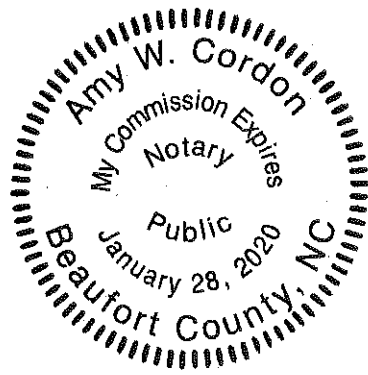


Printed name: Alexander Dixon Turnell

Sworn to and subscribed  
before me this the 5  
day of December, 2016.

  
NOTARY PUBLIC

My commission expires: Jan 28, 2020



Affidavit of Samuel R. Windley



## AFFIDAVIT

1. I am over eighteen (18) years of age, I am a resident of the State of North Carolina, and I do not suffer from any mental or physical infirmity or disability that would prevent me from making this affidavit. The matters stated herein are matters of my own personal knowledge and belief.

2. I was a member of Pungo District Hospital Corporation prior to September 29, 2011, and thereafter became a member of Pantego Creek, LLC ("Pantego Creek"). I currently hold all rights granted to members under the Pantego Creek Operating Agreement.

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FURTHER THIS AFFIANT SAITH NOT.

  
Printed name: Samuel R. Windley

Sworn to and subscribed  
before me this the 4<sup>th</sup>  
day of DECEMBER, 2016.

  
NOTARY PUBLIC

My commission expires: 12-15-2016