

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
10-CVS-019930

**BRIAN CECCARELLI and LORI
MILLETTE individually and as class
representatives,**

Plaintiffs,

v.

TOWN OF CARY,

Defendant.

**DEFENDANT TOWN OF CARY'S MOTION
TO STRIKE PLAINTIFFS' EXPERTS**

NOW COMES the Defendant, Town of Cary ("Town"), by and through its attorneys, and hereby moves the Court to strike Plaintiffs' designated expert witnesses:

1. Brian Ceccarelli;
2. Elizabeth George, Ph.D.;
3. Joseph Shovlin, Ph.D; and
4. Johnnie Hennings, P.E.

Defendant Town contends that none of Plaintiffs' expert is qualified under North Carolina law to give opinions on traffic engineering or traffic signal engineering generally accepted practices or standard of care.

This _____ day of December, 2012.

MARTINEAU KING PLLC

Elizabeth A. Martineau
NC Bar # 26394
PO Pox 31188
Charlotte, NC 28230
Fax 704 943 0543
emartineau@martineauking.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon all counsel of Record by FAX and by depositing a copy hereof, postage prepaid, in the United States Mail, addressed to the attorney for each said party as follows:

William Peaslee
102 Commonwealth Court
Cary, NC 27511
FAX: 919.481.2919
peaslw@aol.com

Paul Stam
Stam & Danchi, PLLC
PO Box 1600
Apex, NC 27502
Attorneys for Plaintiffs.
FAX: 919.387.7329
paulstam@bellsouth.net

This _____ day of _____, 2012.

Tonya Deisn
Paralegal