WOMBLE CARLYLE SANDRIDGE & RICE
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June 11, 1999

Sylvia D. Daniel, R.S.
Program Chief
Mecklenburg County Health Department
700 North Tryon Street, Suite 211
Charlotte, NC 28202

Re: *George and Gail Shroyer v. Mecklenburg Co., et al.*
Case No. 98-CVS-12653 (Mecklenburg)
Policy No.: POL 861 6753

Dear Sylvia:

Please find enclosed a copy of the decision in the above-referenced matter. As we anticipated, the Court denied our Motion to Dismiss all claims against the County on the basis of the public duty doctrine. However, the Court did grant the Motions to Dismiss all claims against Bill and Philo in their individual capacities. Hopefully, that will alleviate some of their concerns about the implications of this lawsuit to them personally.

We anticipate filing an appeal in this matter and will update you on the status as the matter proceeds. Please feel free to call me if you have further questions.

Very truly yours,

WOMBLE CARLYLE SANDRIDGE & RICE
A Professional Limited Liability Company

W. Clark Goodman

WCG/ph
Enclosure

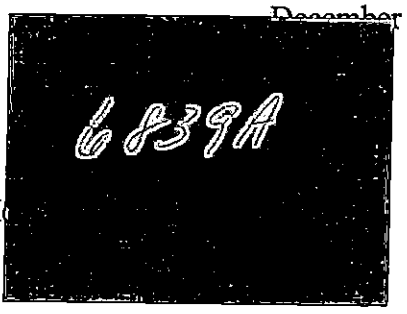
Judge may enter this Order out-of-session and out of county.

Done, this the 21st day of May, 1999.

Ronald Payne, Superior Court Judge

THE SHROYERS
15259 Millview Trace Lane
Charlotte, NC 28227 **704-545-5375**

December 18, 1997



Ms. Sylvia Daniel
Mecklenburg County H
700 North Tryon Street
Charlotte, NC 28202

Re: Septic System

Dear Ms. Daniel:

I confirmed that a new float switch was installed on Thursday, October 30 by Jim from W. T. Norwood. I am optimistic that this has solved our problem. (Just for your info, on Tuesday, November 11, the septic system alarm went off again and they installed a new pump on Wednesday, November 12.)

It is obvious that the faulty float switch was the problem from the beginning since there has been no runoff since October 30. It is quite obvious that someone failed to do their job properly. In prior conversations with you, I acknowledged that Mr. Walked firmly believed that adding 100 feet of line would solve our problem. He also believed that our family ***was*** using too much water even though I assured him over and over again that we were not. He ***did not*** monitor our water usage to prove his point (or disprove mine). He insisted that the only way to solve the problem was to add more line and this was done on August 15, 1997. W. T. Norwood took down approximately 10 trees (two very large oak trees and many dogwoods), dug up a large area of our yard and laid the line. As I have stated before in conversation with you and via written correspondence, sewage continued to pour out of the ground and down the hill beside our home.

We are asking for $3,500 in compensation for our lost trees and landscaping that can ***never*** be replaced (because we now have a septic system in that area that we did not need). We are not asking to be compensated for the unprofessional and sexist way I was treated or for the inconvenience. We have been advised by our attorney to submit this request before taking further action. It is our hope that this matter can be settled out of court. If further action becomes necessary, other matters will be brought to surface.

Ms. Daniel, I am confident that this matter would not have been solved without your assistance. You listened to me instead of pointing fingers. Mr. Walker and Mr. Randall never gave me the benefit of the doubt and always accused our family of "water abuse" without having factual data to back them up. As you know, this problem spans over a period of ten months. I realize that your supervisor (or Mr. Fox) may need more information regarding this problem before a settlement can be reached. My husband and I are available to talk with anyone who has questions concerning this situation.

Ms. Daniel, thank you for your help in solving this problem and for your professionalism.

Sincerely,

Gail Shroyer

Gail Shroyer

/gls

cc: Jerry Fox