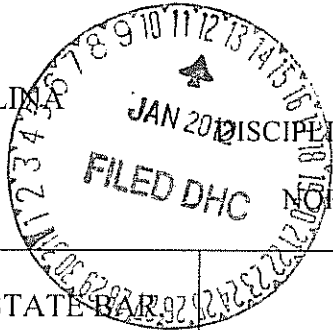


STATE OF NORTH CAROLINA  
WAKE COUNTY



BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
12 DHC 6

THE NORTH CAROLINA STATE BAR

Plaintiff

COMPLAINT

v.

CHARLES T. BUSBY and  
LADD S. GASPAROVIC, Attorneys,

Defendants

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar ("State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant Charles T. Busby ("Busby") was admitted to the North Carolina State Bar in 1978 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

3. Defendant Ladd S. Gasparovic ("Gasparovic") was admitted to the North Carolina State Bar in 2001 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

Upon information and belief:

4. During all or part of the relevant periods referred to herein, Busby and Gasparovic were engaged in the practice of law in the State of North Carolina and maintained a law office in Hampstead, Pender County, North Carolina. Busby and Gasparovic worked together at the Law Office of Ladd Gasparovic, P.A.

5. In 2007, Total Realty Management, LLC ("TRM") retained Gasparovic to represent it in its business activities and transactions.

6. From about May 2007 through about February 2008, Gasparovic provided legal services and advice to TRM.

7. The legal services and advice Gasparovic provided to TRM included legal services and advice concerning simultaneous real estate closings engaged in by TRM, in which property was being transferred from an owner to TRM ("the first part") and then from TRM to a buyer ("the second part") on the same day, with the deeds filed within minutes of one another. These simultaneous closings include the transactions listed in Exhibits A and B to this complaint.

8. Gasparovic served as closing attorney for the transactions listed in Exhibits A and B to this complaint (hereinafter "the transactions," singular or plural depending on context). The information in Exhibit A and Exhibit B is hereby incorporated as if fully set out herein.

9. Gasparovic represented TRM in the transactions listed in Exhibits A and B.

10. In each transaction listed in Exhibits A and B, a lender loaned funds to the buyer for the buyer to purchase the property from TRM.

11. The lenders sought to protect their interests in these transactions through the instructions and requirements issued to Gasparovic as closing attorney.

12. Gasparovic represented each lender in the transactions listed in Exhibits A and B, at least to the extent of ensuring compliance with the instructions and requirements of the lender in each transaction.

13. In advance of each transaction, Gasparovic and/or Busby prepared and submitted to a title insurance company a preliminary opinion of title.

14. The preliminary opinion of title was necessary in order for Gasparovic to obtain the title commitment for a title insurance policy insuring the title for the buyer and the lender in the second part of each transaction.

15. Each lender in the transactions listed in Exhibits A and B required a title insurance policy as part of its instructions and requirements for the transaction.

16. In addition, one of the lenders, Cooperative Bank, required that it be provided with the preliminary opinion of title and the title commitment as part of its instructions and requirements in several of the transactions in which it loaned funds.

17. On each preliminary opinion of title Busby and/or Gasparovic prepared and submitted in the second part of these transactions:

- a. Busby and/or Gasparovic represented that TRM was the owner of the property;

- b. TRM did not own the property at the time Busby and/or Gasparovic listed TRM as the owner of the property;
  - c. RA North Development 1, Inc. ("RA North") or another owner owned the property at the time Busby and/or Gasparovic represented that TRM was the owner of the property;
  - d. Busby and Gasparovic knew that RA North or another owner owned the property, and knew that TRM did not own the property, at the time they represented that TRM was the owner of the property.
18. In each transaction:
- a. The representation was false on the preliminary opinion of title prepared and submitted by Busby and/or Gasparovic that TRM was the owner of the property;
  - b. Based upon the preliminary opinion of title prepared and submitted by Busby and/or Gasparovic, the title insurance company issued a title commitment to insure title for the buyer and the lender and;
  - c. Because the preliminary opinion of title prepared and submitted by Busby and/or Gasparovic falsely identified TRM as owner, the title commitment issued by the title insurance company to insure title for the buyer and the lender inaccurately identified TRM as owner.

19. At the time they prepared and submitted the preliminary opinions of title in these transactions, Busby and Gasparovic were aware that a bank making a purchase money loan for real property typically will not make the loan unless the buyer/borrower has a contract to purchase the property for a certain price from the named seller and the title commitment shows that the seller in the contract is the current owner.

20. In each transaction:
- a. TRM was identified as the seller in the purchase contract by which the buyer was purchasing the property with a purchase money loan.
  - b. Busby and/or Gasparovic identified TRM rather than the actual owner as owner of the property on the preliminary opinion of title because they were aware of the bank policy referenced in paragraph 19 above.
  - c. Busby and/or Gasparovic identified TRM rather than the actual owner as owner of the property on the preliminary opinion of title in order to ensure the buyer's lender would loan the funds requested.

21. Neither Busby nor Gasparovic disclosed to the lender the first part of these transactions or that the price TRM would pay to the original owner was significantly

lower than the price for which TRM was selling the property to the buyer in the second part of the transaction.

22. TRM had an interest in concealing and not disclosing to the lender the first part of these transactions or that the price TRM would pay to the original owner was significantly lower than the price for which TRM was selling the property to the buyer in the second part of the transaction.

23. The lender had an interest in receiving all information that reflected upon the value of the property serving as collateral for its loan to the buyer.

24. TRM had an interest in ensuring that the lender loaned funds that would allow the buyer to buy the property from TRM in each transaction listed in Exhibits A and B.

25. The lender had an interest in ensuring the loan complied with its policies and underwriting requirements, including a policy that the buyer/borrower must have a contract to purchase the property for a certain price from the named seller and a policy that the title commitment must show that the seller in the contract is the current owner.

26. In each transaction, the interests of TRM and of the lender set out in the preceding paragraphs were in conflict.

27. The manner in which Busby and Gasparovic prepared the preliminary opinions of title misled, and concealed material information from, the lenders.

28. The manner in which Gasparovic structured the closings for TRM concealed material information from the lenders.

29. The manner in which Gasparovic structured the closings for TRM facilitated fraud by TRM.

30. The loans to the buyers in the transactions listed in Exhibits A and B were made by either Woodlands Bank or Cooperative Bank. Both Woodlands Bank and Cooperative Bank were financial institutions whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC) at the time of each transaction.

31. It is a violation of 18 U.S.C. § 1014 for a person to make a false statement for the purpose of influencing the action of an institution the accounts of which are insured by the FDIC, punishable by a fine up to \$1,000,000.00 and imprisonment of up to 30 years.

32. In each transaction, Busby and Gasparovic knowingly made a false statement for the purpose of influencing the action of an institution the accounts of which were insured by the FDIC in violation of 18 U.S.C. § 1014.

33. It is a violation of 18 U.S.C. § 1344 for a person to knowingly execute or attempt to execute a scheme or artifice to defraud a financial institution or to obtain any

of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises, punishable by a fine of up to \$1,000,000.00 and imprisonment of up to 30 years.

34. In each transaction, Busby and Gasparovic knowingly executed a scheme or artifice to obtain funds from a financial institution by means of false representations in violation of 18 U.S.C. § 1344.

THEREFORE, Plaintiff alleges that Defendant's foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Defendant violated the Rules of Professional Conduct in effect at the time of the conduct as follows:

- (a) By their conduct in these transactions, Busby and Gasparovic committed criminal acts that reflect adversely on their honesty, trustworthiness, or fitness in other respects in violation of Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation in violation of Rule 8.4(c); and
- (b) By their participation and conduct in these transactions in which the interests of TRM and the lenders were in conflict, Busby and Gasparovic engaged in a conflict of interest in violation of Rule 1.7(a).

WHEREFORE, Plaintiff prays that:

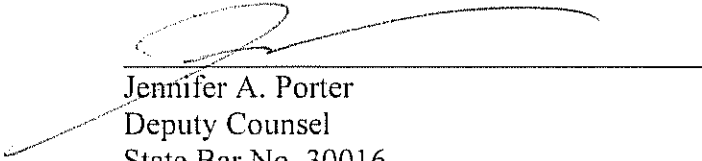
- (1) Disciplinary action be taken against Defendants in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114), as the evidence on hearing may warrant;
- (2) Defendants be taxed with the administrative fees and costs permitted by law in connection with this proceeding; and
- (3) For such other and further relief as is appropriate.

The 12<sup>th</sup> day of January, 2012.



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Margaret M. Hunt, Chair  
Grievance Committee



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Jennifer A. Porter  
Deputy Counsel  
State Bar No. 30016  
The North Carolina State Bar  
P.O. Box 25908  
Raleigh, NC 27611  
919-828-4620

Attorney for Plaintiff

## EXHIBIT A

### Lots at Summerhouse on Everett Bay

- 1      **Lot 151** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445  
  
    **Part 1**  
    Seller: R.A. North Development 1 Inc.  
    Buyer: Total Realty Management, LLC  
    Sale Price: \$159,880  
    Settlement Date: 5/18/2007  
  
    **Part 2**  
    Seller: Total Realty Management, LLC  
    Buyer: Sean Mykiety  
    Sale Price: \$369,000  
    Settlement Date: 5/18/2007
  
- 2      **Lot 275** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445  
  
    **Part 1**  
    Seller: R.A. North Development 1 Inc.  
    Buyer: Total Realty Management, LLC  
    Sale Price: \$139,880  
    Settlement Date: 5/18/2007  
  
    **Part 2**  
    Seller: Total Realty Management, LLC  
    Buyer: Frederick Hunter  
    Sale Price: \$349,000  
    Settlement Date: 5/18/2007
  
- 3      **Lot 336** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445  
  
    **Part 1**  
    Seller: Mary J. Dain-Porteous and  
    Walter Porteous  
    Buyer: Total Realty Management, LLC  
    Sale Price: \$388,114.27  
    Settlement Date: 5/18/2007  
  
    **Part 2**  
    Seller: Total Realty Management, LLC  
    Buyer: Michael A. Richards  
    Sale Price: \$432,000  
    Settlement Date: 5/18/2007

## EXHIBIT A

4           **Lot 489** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$179,880  
Settlement Date: 5/18/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Susan O. Warren  
Sale Price: \$389,000  
Settlement Date: 5/18/2007

5           **Lot 563** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$129,880  
Settlement Date: 5/18/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Sanford Payne  
Sale Price: \$277,000  
Settlement Date: 5/18/2007

6           **Lot 633** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 5/18/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Kathleen M. Tutem  
Sale Price: \$369,000  
Settlement Date: 5/18/2007



## EXHIBIT A

- 7            **Lot 634** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445  
                 **Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$169,880  
                 Settlement Date: 5/18/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Kathleen Tutem  
                 Sale Price: \$369,000  
                 Settlement Date: 5/18/2007
- 8            **Lot 716** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$169,880  
                 Settlement Date: 5/18/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Matthew Frederick  
                 Sale Price: \$379,000  
                 Settlement Date: 5/18/2007
- 9            **Lot 808** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$249,880  
                 Settlement Date: 5/24/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Teresa Ann and William R. Elliot  
                 Sale Price: \$444,000  
                 Settlement Date: 5/24/2007

## EXHIBIT A

- 10            **Lot 488** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$179,880  
                 Settlement Date: 6/1/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Allison S. and Michael G. Holbert  
                 Sale Price: \$389,000  
                 Settlement Date: 6/1/2007
- 11            **Lot 718** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$149,880  
                 Settlement Date: 6/1/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Todd R. and Sharon Mikolajczyk  
                 Sale Price: \$359,000  
                 Settlement Date: 6/1/2007
- 12            **Lot 857** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$159,880  
                 Settlement Date: 6/1/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Jeanne and Randall Balderson  
                 Sale Price: \$369,000  
                 Settlement Date: 6/1/2007

## EXHIBIT A

- 13            **Lot 109** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$169,880  
                 Settlement Date: 6/8/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: John and Jennifer Buechler  
                 Sale Price: \$379,000  
                 Settlement Date: 6/8/2007
- 14            **Lot 469** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$199,880  
                 Settlement Date: 6/8/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Stacey Freed and Thomas  
                 Erbland  
                 Sale Price: \$379,000  
                 Settlement Date: 6/8/2007
- 15            **Lot 526** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$169,880  
                 Settlement Date: 6/8/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Stewart D. Ellis  
                 Sale Price: \$379,000  
                 Settlement Date: 6/8/2007

## EXHIBIT A

16            **Lot 725** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 6/8/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Julie K. Day  
Sale Price: \$379,000  
Settlement Date: 6/8/2007

17            **Lot 780** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$149,880  
Settlement Date: 6/8/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Aurena K. Raines  
Sale Price: \$359,000  
Settlement Date: 6/8/2007

18            **Lot 781** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$149,880  
Settlement Date: 6/8/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Patrice and Terrance Brown  
Sale Price: \$359,000  
Settlement Date: 6/8/2007

## EXHIBIT A

19           **Lot 991** Summerhouse on Everett Bay,  
                  Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$224,880  
Settlement Date: 6/8/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: George and Cindy Grunbaum  
Sale Price: \$425,000  
Settlement Date: 6/8/2007

20           **Lot 999** Summerhouse on Everett Bay,  
                  Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$129,880  
Settlement Date: 6/8/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Betty and Richard Green  
Sale Price: \$329,000  
Settlement Date: 6/8/2007

21           **Lot 646** Summerhouse on Everett Bay,  
                  Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 6/13/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Brian and Kimberly Cook  
Sale Price: \$379,000  
Settlement Date: 6/13/2007

## EXHIBIT A

22            **Lot 649** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 6/13/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Max Sartoph  
Sale Price: \$379,000  
Settlement Date: 6/13/2007

23            **Lot 727** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 6/13/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Kevin Keeton  
Sale Price: \$379,000  
Settlement Date: 6/13/2007

24            **Lot 632** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 6/13/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Richard and Barbara Sprout  
Sale Price: \$379,000  
Settlement Date: 6/13/2007

## EXHIBIT A

25            **Lot 119** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$199,880  
Settlement Date: 6/20/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Charles & Barbara Strittmatter  
Sale Price: \$400,000  
Settlement Date: 6/20/2007

26            **Lot 262** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$225,880  
Settlement Date: 6/20/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: David E. and Elisabeth Jackson  
Sale Price: \$444,000  
Settlement Date: 6/20/2007

27            **Lot 751** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$204,880  
Settlement Date: 6/20/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: John Lawrence Hill  
Sale Price: \$405,000  
Settlement Date: 6/20/2007

## EXHIBIT A

28            **Lot 834** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$117,880  
Settlement Date: 6/20/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: William and Michele Clendaniel  
Sale Price: \$379,000  
Settlement Date: 6/20/2007

29            **Lot 981** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$139,880  
Settlement Date: 6/20/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Michael A. Jett & Sherry Sabo  
Sale Price: \$349,000  
Settlement Date: 6/20/2007

30            **Lot 630** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 6/22/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Richard R. & Mary L. Blessing  
Sale Price: \$379,000  
Settlement Date: 6/22/2007



## EXHIBIT A

31            **Lot 788** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$159,880  
Settlement Date: 6/22/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Doris Hottel  
Sale Price: \$369,000  
Settlement Date: 6/22/2007

32            **Lot 811** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$249,880  
Settlement Date: 6/22/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Charles D. Clark  
Sale Price: \$444,000  
Settlement Date: 6/22/2007

33            **Lot 244** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$225,880  
Settlement Date: 6/25/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Tolby Tolbert  
Sale Price: \$425,000  
Settlement Date: 6/25/2007

## EXHIBIT A

- 34      **Lot 714** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445
- Part 1**  
Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$199,880  
Settlement Date: 6/25/2007
- Part 2**  
Seller: Total Realty Management, LLC  
Buyer: Robert & Christine Sciabica  
Sale Price: \$405,000  
Settlement Date: 6/25/2007
- 35      **Lot 124** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445
- Part 1**  
Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$209,880  
Settlement Date: 7/11/2007
- Part 2**  
Seller: Total Realty Management, LLC  
Buyer: Cheryl Dolan  
Sale Price: \$410,000  
Settlement Date: 7/11/2007
- 36      **Lot 765** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445
- Part 1**  
Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$184,880  
Settlement Date: 7/11/2007
- Part 2**  
Seller: Total Realty Management, LLC  
Buyer: Lorna Christensen  
Sale Price: \$385,000  
Settlement Date: 7/11/2007

## EXHIBIT A

37            **Lot 858** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$159,880  
Settlement Date: 7/18/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Roger W. Jones  
Sale Price: \$369,000  
Settlement Date: 7/18/2007

38            **Lot 722** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$169,880  
Settlement Date: 7/26/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: David Bays  
Sale Price: \$389,000  
Settlement Date: 7/26/2007

39            **Lot 777** Summerhouse on Everett Bay,  
Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$149,880  
Settlement Date: 7/26/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Michael & Kristi Lalli  
Sale Price: \$359,000  
Settlement Date: 7/26/2007

## EXHIBIT A

- 40            **Lot 638** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$169,880  
                 Settlement Date: 7/27/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Samir Jezzini  
                 Sale Price: \$399,000  
                 Settlement Date: 7/27/2007
- 41            **Lot 778** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$149,880  
                 Settlement Date: 8/2/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Matthew and Teresa Richmond  
                 Sale Price: \$359,000  
                 Settlement Date: 8/2/2007
- 42            **Lot 258** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445
- Part 1**  
                 Seller: R.A. North Development 1 Inc.  
                 Buyer: Total Realty Management, LLC  
                 Sale Price: \$222,880  
                 Settlement Date: 8/3/2007
- Part 2**  
                 Seller: Total Realty Management, LLC  
                 Buyer: Roger Balducci Jr.  
                 Sale Price: \$425,000  
                 Settlement Date: 8/3/2007

## EXHIBIT A

43            **Lot 624** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$204,880  
Settlement Date: 8/3/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Joseph Pozda  
Sale Price: \$405,000  
Settlement Date: 8/3/2007

44            **Lot 698** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$225,880  
Settlement Date: 8/3/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Jay Sumant Patel  
Sale Price: \$425,000  
Settlement Date: 8/3/2007

45            **Lot 699** Summerhouse on Everett Bay,  
                 Holly Ridge, NC 28445

**Part 1**

Seller: R.A. North Development 1 Inc.  
Buyer: Total Realty Management, LLC  
Sale Price: \$225,880  
Settlement Date: 8/13/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Pamela Lopes  
Sale Price: \$425,000  
Settlement Date: 8/13/2007

## EXHIBIT B

### Lots at Cannonsgate at Bogue Sound

1            **Lot 135** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Charles and Martha Deuterman  
Buyer: Total Realty Management, LLC  
Sale Price: \$289,410.44  
Settlement Date: 6/13/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Babette and William Hale  
Sale Price: \$354,000  
Settlement Date: 6/13/2007

2            **Lot 125** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Scott Lentz  
Buyer: Total Realty Management, LLC  
Sale Price: \$355,023.36  
Settlement Date: 6/15/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Jamil Sofer  
Sale Price: \$409,000  
Settlement Date: 6/15/007

3            **Lot 118** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Jamie and Rhonda Sholar  
Buyer: Total Realty Management, LLC  
Sale Price: \$189,880  
Settlement Date: 6/15/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Michael Scipione  
Sale Price: \$399,000  
Settlement Date: 6/15/2007

## EXHIBIT B

4           **Lot 227** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Bluewater Assoc. of Emerald Isle  
Buyer: Total Realty Management, LLC  
Sale Price: \$189,880  
Settlement Date: 6/15/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Brian and Tammy Viola  
Sale Price: \$399,000  
Settlement Date: 6/15/2007

5           **Lot 228** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Bluewater Assoc. of Emerald Isle  
Buyer: Total Realty Management, LLC  
Sale Price: \$189,880  
Settlement Date: 6/25/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Kevin and Caroline Ford  
Sale Price: \$399,000  
Settlement Date: 6/25/2007

6           **Lot 158** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Christopher Tonkinson  
Buyer: Total Realty Management, LLC  
Sale Price: \$373,997.15  
Settlement Date: 7/2/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Julie Bartlett  
Sale Price: \$444,000  
Settlement Date: 7/2/2007

## EXHIBIT B

7           **Lot 124** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Raymond and Hilda Wilder  
Buyer: Total Realty Management, LLC  
Sale Price: \$189,880  
Settlement Date: 7/11/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Daren King  
Sale Price: \$399,000  
Settlement Date: 7/11/2007

8           **Lot 64** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Charlex Holdings, LLC  
Buyer: Total Realty Management, LLC  
Sale Price: \$185,000  
Settlement Date: 9/7/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Deanna Kay Rodriguez  
Sale Price: \$399,000  
Settlement Date: 9/7/2007

9           **Lot 229** Cannonsgate at Bogue Sound,  
Newport, NC 28570

**Part 1**

Seller: Bluewater Assoc. of Emerald Isle  
Buyer: Total Realty Management, LLC  
Sale Price: \$189,880  
Settlement Date: 9/14/2007

**Part 2**

Seller: Total Realty Management, LLC  
Buyer: Jeffrey Curtis  
Sale Price: \$399,000  
Settlement Date: 9/14/2007