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Jul 13 2022

**REPLY TO
RESPONDENTS'
RESPONSE TO THE
VILLAGE'S MOTION TO
JOIN NECESSARY PARTY**

The Village moves to add SharpVue Capital, LLC, as a party because SharpVue has a contractual right to purchase the assets at issue in this proceeding, thus making SharpVue a necessary party. Respondents' opposition to the Motion is unavailing.

First, Respondents do not dispute that SharpVue has a property interest in the assets at issue in this proceeding. Nor do Respondents disagree that the Commission’s ruling will impact the assets that SharpVue has a contractual right to acquire. Therefore, while this proceeding may not “resolve contractual or property rights,” Respondents’ Resp. at 4, SharpVue nevertheless has “material interests in the subject matter of [the] controversy, which interests will be directly affected by an adjudication of the controversy.” *Dunn v. Cook*, 204 N.C. App. 332, 336, 693 S.E.2d 752, 755 (2010).

Second, Respondents fail to offer a single authority that suggests SharpVue is not a necessary party to this proceeding. Instead, Respondents argue that the merits of the Village's claims in this proceeding are not "dependent upon SharpVue or any other prospective purchaser." Respondents' Resp. at 5. While the success of the Village's claims is not dependent on the identity of the assets' owners, the necessary parties to this proceeding *are dependent* on the identity of the assets' owners. Because SharpVue has a contractual right to become the assets' owner, SharpVue will be impacted by the Commission's ruling and, therefore, is a necessary party.

WHEREFORE, the Village respectfully moves to join SharpVue Capital, LLC as a necessary party respondent to this proceeding.

This 13th day of July, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REPLY TO RESPONDENTS' RESPONSE TO THE VILLAGE'S MOTION TO JOIN NECESSARY PARTY has been served this day upon all parties of record in this proceeding, or their legal counsel, by electronic mail or by delivery to the United States Post Office, first-class postage pre-paid.

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This the 13th day of July, 2022.

By: /s/ Craig D. Schauer