

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 3:14-CV-271

BRANDON HIGGINS, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

POWERSECURE INTERNATIONAL,  
INC., SIDNEY HINTON and  
CHRISTOPHER T. HUTTER,

Defendants.

**MOTION TO TRANSFER**

Plaintiff moves the Court, pursuant to G.S. §7A-258 and Rule 7 of the North Carolina Rules of Civil Procedure, that this action be transferred from the Western District of North Carolina to the Eastern District of North Carolina, Western Division, for the reasons that this action was inadvertently filed in the Western District of North Carolina. Therefore, the Eastern District of North Carolina, Western Division is the proper division for the trial of this action. This Motion is made in the good faith belief that it may be properly granted and that no amendment is intended which would affect the propriety of transfer.

WHEREFORE, Plaintiff respectfully requests that this action be transferred to the Eastern District of North Carolina, Western Division.

This 28th day of May 2014.

By: /s/ H. Forest Horne  
H. Forest Horne, NCSB #16678  
G. Christopher Olson, NCSC #21223  
**MARTIN & JONES, PLLC**  
hfh@m-j.com  
gco@m-j.com

410 Glenwood Avenue, Suite 200,  
Raleigh, NC 27603  
Telephone: (919) 821-0005  
Facsimile: (919) 863-6084

**GLANCY BINKOW & GOLDBERG LLP**

*Pro Hac Vice To Be Filed*

Lionel Z. Glancy

Michael Goldberg

Robert V. Prongay

Elaine Chang

1925 Century Park East, Suite 2100

Los Angeles, CA 90067

Telephone: (310) 201-9150

Telephone: (310) 201-9160

**LAW OFFICES OF HOWARD G. SMITH**

*Pro Hac Vice To Be Filed*

Howard G. Smith

3070 Bristol Pike, Suite 112

Bensalem, PA 19020

Telephone: (215) 638-4847

Facsimile: (215) 638-4867

***Attorneys for Plaintiff Brandon Higgins***