

Article Excerpts Depicting “**Fiscally Irresponsible**” Theme

The Manure	Articles Where This Appeared	Manure Meter Index	The Truth
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Spencer Young is also **Fiscally Irresponsible**.

This is evidenced by his . . .

a) Failure To Pay Rent For The Parking Spaces			
<i>“There is no dispute . . . [Spencer Young] just won’t pay his rent bill”</i>	CHN-04	10	For there to be a rent bill, there must exist a lease agreement. NO LEASE AGREEMENT EXISTED with P.H. Craig, because Mr. Craig refused to enter into ANY AGREEMENT under ANY TERMS. This was experienced firsthand by and documented in painstaking detail by senior real estate partner, Bill Matthews of Womble Carlyle.
<i>“[PH Craig blocked off his 56 spaces after two years of neither payment nor communication from the Courtyard’s owner, Spencer Young”</i>	DTH-04		
<i>“Craig said [Young] hasn’t paid parking fees since his 2005 purchase of the Courtyard”</i>	DTH-04		
<i>“Mr. Craig hasn’t been paid for two and a half or three years”</i>	DTH-05		
<i>“Craig told the Chapel Hill Town Council in February that Young has not paid for the parking spaces he rents in more than two years, leading him to close off the lot to Courtyard patrons”</i>	DTH-06		
<i>“Craig said in a statement that he had maintained a rental agreement with several owners of The Courtyard for 26 years until Spencer Young bought the property in 2005.</i>	HS-01		

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<p><i><u>Title of Article:</u> Landowner barricades parking spaces -- pH Craig says an account has been delinquent for over two years and he can't allow the situation to continue . . . in a news release dropped off Monday at the news and Observer is Orange County Bureau, Craig said the account had been delinquent for over two years saying “I've been to patient too long and cannot allow the situation to continue.”</i></p>	N&O-04	10	<p>There’s not a stitch of truth to these statements. For there to be a rent bill, there must exist a lease agreement. NO LEASE AGREEMENT EXISTED with P.H. Craig, because Mr. Craig refused to enter into ANY AGREEMENT under ANY TERMS.</p>
<p><i>“There is no dispute,” Craig said. “He just won't pay his bill.”</i></p>	N&O-08		<p>There’s not a stitch of truth to these statements. For there to be a rent bill, there must exist a lease agreement. NO LEASE AGREEMENT EXISTED with P.H. Craig, because Mr. Craig refused to enter into ANY AGREEMENT under ANY TERMS. The departure by 3 Cups was entirely staged</p>
<p><i>PH Craig waged a well-publicized battle with Spencer Young over the parking lot at The Courtyard. Young's refusal to pay rent for Craig's adjacent parking and Craig subsequently blocking off his spaces drove 3 Cups coffee tea and wine shop to relocate to South Elliot Road.</i></p>	N&O-18		

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his . . .

b) Default On The Bank Mortgage Loan			
<i>“Chapel Hill businessman late for foreclosure hearing”</i>	N&O-18	9	Spencer Young was on-time. His attorney, Michael Denning of Shanahan Group was late. Running an article with such a title, and reiterating falsehoods indicates malicious intent.
<i>“Wachovia wants to foreclose and sell the property because Spencer Young defaulted on a \$2.6 million loan”</i>	N&O-18, 17	10	Wachovia was party to orchestrating this foreclosure in that they: (1) knew of the sabotage perpetrated on the property; (2) prematurely accelerated the note; and (3) refused to allow Spencer Young to bring the note current
<i>“Wachovia Bank hasn’t received a mortgage payment since February 2008”</i>	N&O-18		Wachovia refused a payment in May 2008 which would have brought the loan current. In August 2008, they agreed to forbear and accepted a good faith payment, which upon receipt, they reneged on the forbearance agreement in August 2008.
<u>Title of Article:</u> <i>“Courtyard Foreclosure Hearing Delayed 30 Days”</i>	CHN-10	9	This was NOT news, just part of smear campaign to continue to report on this matter at every opportunity.
<i>“[Spencer Young] appeared late for a foreclosure hearing”</i>	CHN-10		Mr. Young was on time – it was his attorney, Michael Denning of Shanahan Law Group who was late
<i>“Wachovia Bank wants to sell the property on West Franklin Street, saying owner Spencer Young has defaulted on a \$2.6 million loan he got in 2005 to buy it”</i>	CHN-10		Wachovia was to complete a recapitalization of all five of Mr. Young’s North Carolina properties in three phases: (1) finance the acquisition of nearby lots for valet parking; (2) provide a \$500,000 liquidity facility; and (3) complete the recapitalization on an “earn-out” basis

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<i>“A Wachovia Bank representative at the hearing said the bank hadn’t received a mortgage payment since February”</i>	CHN-10	9	Collaborating with Morgan Stanley, Wachovia held up the closing on the sale of Mr. Young’s New York residence, and then prematurely accelerated the Note. When the deal closed, Wachovia refused to accept payments to bring the loan current at the end of May 2008. Wachovia agreed to forbearance, and asked for a good faith payment from Mr. Young in July 2008
<u><i>Title of Article:</i></u> <i>“Bank May Take Over – The Courtyard is facing foreclosure”</i>	DTH-08	7	Wachovia very much orchestrated this foreclosure by: (1) trying to upend the acquisition of the valet parking lots; (2) reneged on financing this strategic acquisition; (3) reneged on the planned recapitalization; and (4) prevented Mr. Young from engaging legal counsel to protect the property from foreclosure via a managed Chapter 11 bankruptcy. Moreover, the law firms who were each engaged to represent the LLC that owns The Courtyard in bankruptcy resigned for spurious reasons, causing the bankruptcy filing to be dismissed – those firms are discussed in a separate section.
<i>“Spencer Young, owner of The Courtyard complex in Chapel Hill, will face a foreclosure hearing today [Oct. 28, 2008] in Orange County Superior Court”</i>	DTH-08		
<i>“Wachovia foreclosed on the property at 431 W. Franklin St. on [October 28, 2008] at an Orange County Superior Court hearing”</i>	DTH-09	9	At the time, these statements were completely FALSE – in fact, the planned December 2008 foreclosure was stayed by a managed Chapter 11 bankruptcy filing on December 1, 2008. The underlying article has been mysteriously removed from the Daily Tar Heel web site.
<i>“[Wachovia] foreclosed on Young in the [Fall of 2008]”</i>	DTH-11		

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<i>“He wasn't even aware of the latest bad news from The Courtyard. Property owner Spencer Young is facing more than \$3,000,000 in lawsuits from creditors including Wachovia Bank, which is seeking \$2.6 million plus interest to settle a loan it says Young took out in 2005 to buy The Courtyard.”</i>	HS-13	7	The entire matter was orchestrated and entailed commercial sabotage financial fraud and widespread corruption. And the school would have been thwarted an exposed had Mr. Young been allowed his constitutional right to legal due process by filing a managed chapter 11 bankruptcy. He was not allowed to do so because he was denied yet another constitutional right, legal representation. And because he was suddenly and oddly unable to engage an attorney, the foreclosure process proceeded uncontested.
<i>Wachovia Bank is trying to foreclose on the shopping center and sell it. The bank filed a request late last month for foreclosure hearing in Orange County Superior Court, saying Spencer C. Young Investments wasn't making payments on \$2.6 million it had borrowed in 2005 to buy the property.</i>	HS-15		Wachovia Bank initiated foreclosure proceedings on a loan it had never been late since inception. In January 2008, it tried to sabotage the acquisition of valet parking lots (which would have permanently resolve the parking issue). It then reneged on previously agreed upon terms of recapitalization. Wachovia and Morgan Stanley deliberately delayed the closing on the sale of Mr. Young’s home in Manhasset and prematurely accelerated the mortgage loan on The Courtyard Of Chapel Hill.
<i>Last month [June 2008], Wachovia Bank sued Young for \$2.6 million the bank says he borrowed to buy The Courtyard in 2005. The suit claims that Young has defaulted on the loan.</i>	N&O-15		Moreover, Wachovia refused payments to bring the mortgage current after a delay that they caused, and then reneged on terms of a forbearance agreement.
<i>The defendant [Young] has . . . refused to pay” states the lawsuit filed by Wachovia attorney Terry Gardner.</i>	N&O-15		10

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<i>Title of Article: Courtyard May Face a Foreclosure - Wachovia Bank is trying to foreclose on the courtyard on W. Franklin St. and sell it, a move that would rest a small retail and office center from its owner.</i>	N&O-16	7	<p>7 The entire matter was orchestrated and entailed commercial sabotage financial fraud and widespread corruption. And the school would have been thwarted an exposed had Mr. Young been allowed his constitutional right to legal due process by filing a managed chapter 11 bankruptcy. He was not allowed to do so because he was denied yet another constitutional right, legal representation. And because he was suddenly and oddly unable to engage an attorney, the foreclosure process proceeded uncontested.</p> <p>Wachovia Bank initiated foreclosure proceedings on a loan it had never been late since inception. In January 2008, it tried to sabotage the acquisition of valet parking lots (which would have permanently resolve the parking issue). It then reneged on previously agreed upon terms of recapitalization. Wachovia and Morgan Stanley deliberately delayed the closing on the sale of Mr. Young’s home in Manhasset and prematurely accelerated the mortgage loan on The Courtyard Of Chapel Hill.</p> <p>Moreover, Wachovia refused payments to bring the mortgage current after a delay that they caused, and then reneged on terms of a forbearance agreement.</p>
<i>The bank filed a request late last month for a foreclosure hearing in Orange County Superior Court, saying Spencer C. young investments wasn't making payments on \$2.6 and 3 million it had borrowed in 2005 to buy the property</i>	N&O-16		
<i>Wachovia Bank wants to sell the property, a European-style mix of shops surrounding a courtyard fountain on W. Franklin St. owner Spencer Young, it said in court documents, has defaulted on a \$2.6 million loan he got in 2005 to buy the property.</i>	N&O-17	7	
<i>A Wachovia representative at the hearing said the bank hadn't received a mortgage payment since February.</i>	N&O-17	7	

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<i><u>Title of Article:</u> Chapel Hill Businessmen Late for Foreclosure Hearing -- the unusual sought of Chapel Hill's Courtyard complex continued Tuesday when the owner appeared late for a foreclosure hearing, minutes after was postponed.</i>	N&O-17	9	Mr. Young was on time – it was his attorney, Michael Denning of Shanahan Law Group who was late.

and instances of being . . .

c) Delinquent On Many Other Financial Obligations			
<i>In addition to his disputes with tenants and vendors, and Orange County tax statement shows that Spencer C. Young investments is in arrears overdose of real property taxes that were due in September 2007. The statement shows that Young owes \$48,811.04 for taxes on the courtyard. Joe Roberson, it County director of revenue, confirmed Tuesday that Young was delinquent. Delinquent accounts may face legal recourse but can't include garnishment of wages or seizure of property</i>	HS-09	10	There is no truth to this whatsoever. Orange County and renders its property tax bills in September property owners have until January to make payment in full. And to say that the real estate taxes were delinquent is patently false and reckless journalism. This was intended to portray the Mr. Young as being fiscally irresponsible.

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<i>“Benjamin Construction Inc. of Raleigh is suing for more than \$550,000 that the company claims has not been paid for construction of Baba Ghannouj and other improvements on the property.</i>	HS-13 N&O-15 N&O-16	7	Benjamin Construction was paid in full for the work performed. Unfortunately, and perhaps by design, their obligations in the operative redevelopment contract were substantially unfulfilled. As Benjamin Construction failed to properly manage most of its construction projects, it is no longer in business.
<i>Spencer Young, a landlord who drove in 3 Cups Coffee Shop out of the downtown location, faces lawsuits seeking more than \$3 million related to his Franklin St. property, The Courtyard of Chapel Hill.</i>	N&O-15	10	Completely false. 3 Cups Coffee Shop out to pay rent and attempted to cover up its own business shortcomings with nonsensical statements issued by the principal owner Lex Alexander which bore no semblance to reality. 3 Cups Coffee Shop was evicted for non-payment of rent, and they drove themselves out.
<i>On June 12, 2008 Crown Asset Management, a collection agency in Duluth Georgia, sued Young for allegedly defaulting on a \$15,000 credit line from Citibank. . . the defendant has wholly failed and refused to make payments to satisfy these obligations,” says the lawsuit filed by lawyer Camille French.</i>	N&O-15	7	This credit card bill pertained to unauthorized charges made by Mr. Young’s ex-wife during their divorce proceedings, and their entrance in the picture was done to help portray Spencer Young in fiscally irresponsible light.
<i><u>Lawsuits galore</u> - alone Parking wasn't the only problem for Young. In June, a collection agency sued Young, saying he had defaulted on a \$15,000 credit line from Citibank</i>	N&O-16		

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<p><i>Last month, Wright Company Electrical and Maintenance Services also sued Young in Orange County Small Claims Court for nearly \$3,000 in unpaid services at The Courtyard and a larger shopping center he owns at NC Hwy 54 and NC Hwy 55 in Durham.</i></p>	<p>N&O-15 N&O-16</p>	<p>7</p>	<p>This was also a ruse in that Wright was fired for excess of overcharging, and there was no contract in place. And yet the small-claims kangaroo court judge chose to contradict fundamental business contract law, for the evidencing widespread corruption. This was also orchestrated to help portray Spencer Young in a fiscally irresponsible light.</p>