

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:24-cv-00253-MOR-SCR

JOHN DOE M.D.Y.,

Plaintiff,

v.

TRAILS ACADEMY, LLC, TRAILS
CAROLINA, LLC, TRAILS MOMENTUM
A/K/A TRAILS CAROLINA, WILDERNESS
TRAINING & CONSULTING, LLC D/B/A
FAMILY HELP & WELLNESS, WTC
HOLDCO, LLC, WTCSL, LLC and UNNAMED
ENTITIES 1-10,

Defendants.

DEFENDANTS' 12(B)(1)
MOTION TO DISMISS OR
OTHERWISE COMPEL
ARBITRATION

Defendants Trails Academy, LLC; Trails Carolina, LLC; Trails Momentum a/k/a Trails Carolina; Wilderness Training & Consulting, LLC d/b/a/ Family Help & Wellness; WTC Holdco, LLC, and WTCSL, LLC, (hereinafter collectively “**Defendants**”) pursuant to Federal Rule of Civil Procedure 12(b)(1) and the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.*, move to dismiss Plaintiff John Doe M.D.Y.’s (“**Plaintiff**”) Corrected/Amended Complaint, ECF No. 3, in its entirety or otherwise compel Plaintiff to bring his claims via arbitration. Defendants also submit and incorporate by reference their contemporaneously filed Memorandum of Law.

[Signature page to follow]

This the 30th day of December, 2024.

/s/DAVID L. LEVY

David Levy (N.C. State Bar No. 34060)

Gardner Skelton, PLLC

3746 N. Davidson Street

Charlotte, North Carolina 28205

Telephone: (704) 335-0350

Fax: (704) 936-0294

Email: dlevy@gardnerskelton.com

Attorneys for Defendants Trails Academy, LLC,

Trails Carolina, LLC, Trails Momentum a/k/a

Trails Carolina, Wilderness Training &

Consulting, LLC d/b/a Family Help & Wellness,

WTC Holdco, LLC and WTCSL, LLC

/s/KRISTY M. D'AMBROSIO

Kristy M. D'Ambrosio

NC State Bar No. 52817

Hedrick Gardner Kincheloe & Garofalo, LLP

4201 Congress Street, Suite 300

Charlotte, NC 28209

Phone: 704-319-5426

Fax: 704-602-8178

kdambrosio@hedrickgardner.com

Attorneys for Defendants Trails Academy, LLC,

Trails Carolina, LLC, Trails Momentum a/k/a

Trails Carolina, Wilderness Training &

Consulting, LLC d/b/a Family Help & Wellness,

WTC Holdco, LLC and WTCSL, LLC

CERTIFICATE OF SERVICE

I certify that the foregoing **DEFENDANTS' 12(B)(1) MOTION TO DISMISS OR OTHERWISE COMPEL ARBITRATION** has on this date been served upon counsel in this matter via this Court's CM/ECF system.

This the 30th day of December, 2024.

/s/DAVID L. LEVY

David Levy (N.C. State Bar No. 34060)

Gardner Skelton, PLLC

3746 N. Davidson Street

Charlotte, North Carolina 28205

Telephone: (704) 335-0350

Fax: (704) 936-0294

Email: dlevy@gardnerskelton.com

***Attorneys for Defendants Trails Academy, LLC,
Trails Carolina, LLC, Trails Momentum a/k/a
Trails Carolina, Wilderness Training &
Consulting, LLC d/b/a Family Help & Wellness,
WTC Holdco, LLC and WTCSL, LLC***

/s/KRISTY M. D'AMBROSIO

Kristy M. D'Ambrosio

NC State Bar No. 52817

Hedrick Gardner Kincheloe & Garofalo, LLP

4201 Congress Street, Suite 300

Charlotte, NC 28209

Phone: 704-319-5426

Fax: 704-602-8178

kdambrosio@hedrickgardner.com

***Attorneys for Defendants Trails Academy, LLC,
Trails Carolina, LLC, Trails Momentum a/k/a
Trails Carolina, Wilderness Training &
Consulting, LLC d/b/a Family Help & Wellness,
WTC Holdco, LLC and WTCSL, LLC***