

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
23CV027939-910

RUMPEGARDEN, LLC,

Plaintiff,

v.

FX AIRGUNS USA, LLC, f/k/a King Arthur  
Holdings, LLC, JONATHAN TUELLER  
a/k/a Jonathan Elvegaard-Tueller, EVELYN  
ELVEGAARD, and EVERGUARD  
HOLDINGS, LLC,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL  
WITH PREJUDICE OF (1) FX AIRGUNS  
USA, LLC'S COUNTERCLAIM  
AGAINST RUMPEGARDEN, LLC,  
(2) THIRD-PARTY COMPLAINT  
AGAINST FX AIRGUNS, AB, AND  
(3) THIRD-PARTY COMPLAINT  
AGAINST FREDRIK AXELSSON**

**NOW COMES** The Finley Group, Inc. (the "Receiver"), the duly-appointed general receiver for FX Airguns USA, LLC ("FX USA") and Everly Holdings, LLC in the above-captioned civil action, through counsel, which hereby gives notice, consistent with Paragraph 19 of the Court's *Order on Motion to Approve Asset Purchase and Release Agreement with FX Airguns, AB* (ECF No. 150) and Section 6.08 of the agreement approved by said order (*see* ECF No. 160.1), that, pursuant to Rule 41(a) and (c) of the North Carolina Rules of Civil Procedure (N.C. GEN. STAT. § 1A-1, Rule 41), FX USA's counterclaim against Rumpegarden, LLC, FX USA's third-party complaint against FX Airguns, AB, and FX USA's third-party complaint against Fredrik Axelsson are hereby dismissed WITH PREJUDICE.

Respectfully submitted, this 9th day of July, 2024.

/s/ Michael L. Martinez

Michael L. Martinez  
Grier Wright Martinez, PA  
521 E. Morehead St., Ste. 440  
Charlotte, North Carolina 28202  
Phone: (704) 332-0209  
Email: mmartinez@grierlaw.com

*Attorneys for The Finley Group, Inc., Receiver*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that copies of the foregoing *Notice of Voluntary Dismissal with Prejudice of (1) FX Airguns USA, LLC's Counterclaim Against Rumpegarden, LLC, (2) Third-Party Complaint Against FX Airguns, AB, and (3) Third-Party Complaint Against Fredrik Axelsson* were served via email on all parties who have requested automatic notification of filings in this action through the N.C. Business Court's electronic filing system and on all parties requesting notices in this action in accordance with this Court's *Order on Receiver's Motion to Limit Notice* (ECF No. 137).

This is the 9th day of July, 2024.

/s/ Michael L. Martinez  
Michael L. Martinez  
Grier Wright Martinez, PA  
521 E. Morehead St., Ste. 440  
Charlotte, North Carolina 28202  
Phone: (704) 332-0209  
Email: mmartinez@grierlaw.com