

Cape Fear Bank CORP  
Form SC 13D/A  
April 07, 2008

**SECURITIES AND EXCHANGE COMMISSION**

**Washington, D.C. 20549**

**SCHEDULE 13D**

**Under the Securities Exchange Act of 1934**

**(Amendment No. 8)\***

**Cape Fear Bank Corporation**

**(Name of Issuer)**

**Common Stock, Par Value \$3.50**

**(Title of Class of Securities)**

**139380109**

**(CUSIP Number)**

**Michael G. Keeley, Esq.**

**Hunton & Williams LLP**

**1445 Ross Ave. Suite 3700**

**Dallas, Texas 75202**

**(214) 468-3345**

**(Name, Address and Telephone Number of Person Authorized to Receive  
Notices and Communications)**

**March 28, 2008**

**(Date of Event which Requires Filing of this Statement)**

If the filing person has previously filed a statement on Schedule 13G to report the acquisition that is the subject of this Schedule 13D, and is filing this schedule because of Section 240.13d-1(e), 240.13d-1(f) or 240.13d-1(g), check the following box.

Note: Schedules filed in paper format shall include a signed original and five copies of the schedule, including all exhibits. See Rule 13d-7 for other parties to whom copies are to be sent.

\* The remainder of this cover page shall be filled out for a reporting person's initial filing on this form with respect to the subject class of securities, and for any subsequent amendment containing information which would alter disclosures provided in a prior cover page.

The information required on the remainder of this cover page shall not be deemed to be filed for the purpose of Section 18 of the Securities Exchange Act of 1934 ( Act ) or otherwise subject to the liabilities of that section of the Act but shall be subject to all other provisions of the Act (however, see the Notes).

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CUSIP No. 139380109

**1** NAME OF REPORTING PERSON  
IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):  
Maurice J. Koury

**2** CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):  
(a)    
(b)

**3** SEC USE ONLY

**4** SOURCE OF FUNDS (See Instructions):  
PF, BK

**5** CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) or 2(e):

**6** CITIZENSHIP OR PLACE OF ORGANIZATION:  
United States

**7** SOLE VOTING POWER  
NUMBER OF 201,022

**8** SHARED VOTING POWER  
SHARES BENEFICIALLY OWNED BY 333,898

**9** SOLE DISPOSITIVE POWER  
EACH

REPORTING

PERSON 201,022

WITH SHARED DISPOSITIVE POWER

10

333,898

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

333,898

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

8.69% (1)

TYPE OF REPORTING PERSON (See Instructions):

14

IN

(1) Based on 3,841,785 shares of common stock of Cape Fear Bank Corp. (the Company ) issued and outstanding as of March 13, 2008, as set forth in the Company s Annual Report under Section 13 or 15(d) of the Securities Exchange Act of 1934, for the fiscal year ended December 31, 2007.

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CUSIP No. 139380109

**1** NAME OF REPORTING PERSON  
IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

The Maurice and Ann Koury Charitable Trust

**2** CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

- (a)
- (b)

**3** SEC USE ONLY

**4** SOURCE OF FUNDS (SEE INSTRUCTIONS):

PF

**5** CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) or 2(e):

**6** CITIZENSHIP OR PLACE OF ORGANIZATION:

North Carolina

**7** SOLE VOTING POWER

NUMBER OF 127,626

**8** SHARES BENEFICIALLY OWNED BY

SHARED VOTING POWER

-0-

**9** EACH SOLE DISPOSITIVE POWER

REPORTING

PERSON 127,626

WITH SHARED DISPOSITIVE POWER

10

-0-

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

127,626

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

3.3% (2)

TYPE OF REPORTING PERSON (See Instructions):

14

00

(2) Based on 3,841,785 shares of common stock of the Company issued and outstanding as of March 13, 2008, as set forth in the Company's Annual Report under Section 13 or 15(d) of the Securities Exchange Act of 1934, for the fiscal year ended December 31, 2007.

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CUSIP No. 139380109

**1** NAME OF REPORTING PERSON  
IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

The Maurice J. Koury Foundation, Inc.

**2** CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

- (a)
- (b)

**3** SEC USE ONLY

**4** SOURCE OF FUNDS (SEE INSTRUCTIONS):

WC

**5** CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO ITEMS 2(d) or 2(e):

**6** CITIZENSHIP OR PLACE OF ORGANIZATION:

North Carolina

**7** SOLE VOTING POWER

NUMBER OF 5,250

**8** SHARES BENEFICIALLY OWNED BY

SHARED VOTING POWER  
-0-

**9** EACH SOLE DISPOSITIVE POWER

REPORTING

PERSON 5,250

WITH SHARED DISPOSITIVE POWER

10

-0-

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON

11

5,250

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

0.1% (3)

TYPE OF REPORTING PERSON (See Instructions):

14

CO

(3) Based on 3,841,785 shares of common stock of the Company issued and outstanding as of March 13, 2008, as set forth in the Company's Annual Report under Section 13 or 15(d) of the Securities Exchange Act of 1934, for the fiscal year ended December 31, 2007.

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NAME OF REPORTING PERSON

1

IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

Robert Isser

CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

2

(a)

(b)

SEC USE ONLY

3

SOURCE OF FUNDS (See Instructions):

4

PF

CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO  
ITEMS 2(d) or 2(e):

5

CITIZENSHIP OR PLACE OF ORGANIZATION:

6

United States

SOLE VOTING POWER

7

NUMBER OF

4,662

SHARES  
BENEFICIALLY OWNED BY

8

SHARED VOTING POWER

5,062

EACH  
REPORTING

9

SOLE DISPOSITIVE POWER

PERSON 4,662

WITH SHARED DISPOSITIVE POWER

10

5,062

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

5,062

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

b

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

0.1%(4)

TYPE OF REPORTING PERSON (See Instructions):

14

IN

(4) Based on 3,841,785 shares of common stock of the Company issued and outstanding as of March 13, 2008, as set forth in the Company's Annual Report under Section 13 or 15(d) of the Securities Exchange Act of 1934, for the fiscal year ended December 31, 2007.

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NAME OF REPORTING PERSON

1

IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

Mort Neblett

CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

2

(a)

(b)

SEC USE ONLY

3

SOURCE OF FUNDS (See Instructions):

4

PF

CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO ITEMS 2(d) or 2(e):

5

CITIZENSHIP OR PLACE OF ORGANIZATION:

6

United States

SOLE VOTING POWER

7

NUMBER OF 3,000

SHARED VOTING POWER

SHARES BENEFICIALLY OWNED BY 8

-0-

SOLE DISPOSITIVE POWER

EACH 9

REPORTING

PERSON 3,000

WITH SHARED DISPOSITIVE POWER

10

-0-

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

3,000

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

0.1%(5)

TYPE OF REPORTING PERSON (See Instructions):

14

IN

(5) Based on 3,841,785 shares of common stock of the Company issued and outstanding as of March 13, 2008, as set forth in the Company's Annual Report under Section 13 or 15(d) of the Securities Exchange Act of 1934, for the fiscal year ended December 31, 2007.

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NAME OF REPORTING PERSON

1

IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

Miltom E. Petty

CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

2

(a)

(b)

SEC USE ONLY

3

SOURCE OF FUNDS (See Instructions):

4

CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO ITEMS 2(d) or 2(e):

5

CITIZENSHIP OR PLACE OF ORGANIZATION:

6

United States

SOLE VOTING POWER

7

NUMBER OF

-0-

SHARES  
BENEFICIALLY OWNED BY

8

SHARED VOTING POWER

5,250

EACH

9

SOLE DISPOSITIVE POWER

REPORTING

PERSON -0-

WITH SHARED DISPOSITIVE POWER

10

5,250

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

5,250

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

0.1%(6)

TYPE OF REPORTING PERSON (See Instructions):

14

IN

(6) Based on 3,841,785 shares of common stock of the Company issued and outstanding as of March 13, 2008, as set forth in the Company's Annual Report under Section 13 or 15(d) of the Securities Exchange Act of 1934, for the fiscal year ended December 31, 2007.

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NAME OF REPORTING PERSON

1

IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

James S. Mahan III

CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

2

(a)

(b)

SEC USE ONLY

3

SOURCE OF FUNDS (See Instructions):

4

N/A

CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO ITEMS 2(d) or 2(e):

5

CITIZENSHIP OR PLACE OF ORGANIZATION:

6

United States

SOLE VOTING POWER

7

NUMBER OF

-0-

SHARES

SHARED VOTING POWER

BENEFICIALLY 8

OWNED BY

-0-

EACH

SOLE DISPOSITIVE POWER

9

REPORTING

PERSON -0-

WITH SHARED DISPOSITIVE POWER

10

-0-

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

-0-

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

0%

TYPE OF REPORTING PERSON (See Instructions):

14

IN

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NAME OF REPORTING PERSON

1

IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

David Lucht

CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

2

(a)

(b)

SEC USE ONLY

3

SOURCE OF FUNDS (See Instructions):

4

PF

CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO ITEMS 2(d) or 2(e):

5

CITIZENSHIP OR PLACE OF ORGANIZATION:

6

United States

SOLE VOTING POWER

7

NUMBER OF

150

SHARES

SHARED VOTING POWER

BENEFICIALLY 8

OWNED BY

-0-

EACH

SOLE DISPOSITIVE POWER

9

REPORTING

PERSON 150

WITH SHARED DISPOSITIVE POWER

10

-0-

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

150

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

0.1%(7)

TYPE OF REPORTING PERSON (See Instructions):

14

IN

(7) Based on 3,841,785 shares of common stock of the Company issued and outstanding as of March 13, 2008, as set forth in the Company's Annual Report under Section 13 or 15(d) of the Securities Exchange Act of 1934, for the fiscal year ended December 31, 2007.

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NAME OF REPORTING PERSON

1

IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

Haywood Cochrane, Jr.

CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

2

(a)

(b)

SEC USE ONLY

3

SOURCE OF FUNDS (See Instructions):

4

N/A

CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO ITEMS 2(d) or 2(e):

5

CITIZENSHIP OR PLACE OF ORGANIZATION:

6

United States

SOLE VOTING POWER

7

NUMBER OF

-0-

SHARES

SHARED VOTING POWER

BENEFICIALLY 8

OWNED BY

-0-

EACH

SOLE DISPOSITIVE POWER

9

REPORTING

PERSON -0-

WITH SHARED DISPOSITIVE POWER

10

-0-

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

11

-0-

CHECK IF THE AGGREGATE AMOUNT IN ROW 11 EXCLUDES CERTAIN SHARES (See Instructions):

12

o

PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 11:

13

0%

TYPE OF REPORTING PERSON (See Instructions)

14

IN

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NAME OF REPORTING PERSON

1

IRS IDENTIFICATION NO. OF REPORTING PERSON (ENTITIES ONLY):

Scott C. Sullivan

CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP (See Instructions):

2

(a)

(b)

SEC USE ONLY

3

SOURCE OF FUNDS (See Instructions):

4

PF and OO

CHECK BOX IF DISCLOSURE OF LEGAL PROCEEDINGS IS REQUIRED PURSUANT TO ITEMS 2(d) or 2(e):

5

CITIZENSHIP OR PLACE OF ORGANIZATION:

6

United States

SOLE VOTING POWER

7

NUMBER OF

1,250

SHARES

SHARED VOTING POWER

BENEFICIALLY 8

OWNED BY

-0-

EACH

SOLE DISPOSITIVE POWER

9

REPORTING

PERSON

1,250

WITH

SHARED DISPOSITIVE POWER

**10**

-0-

AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON:

**11**

1,250