

DUTY OF OWNER TO LICENSEE--DEFENSE OF CONTRIBUTORY WILLFUL OR
WANTON CONDUCT ("GROSS NEGLIGENCE"). (DELETE SHEET).

Former N.C.P.I.--Civil 805.61 is now deleted because the North Carolina Supreme Court has eliminated the distinction between invitees and licensees in premises liability cases. *Nelson v. Freeland*, 349 N.C. 615, 507 S.E.2d 882 (1998). Owners and occupiers of land owe a duty "to exercise reasonable care in the maintenance of their premises for the protection of lawful visitors. *Id.*, 349 N.C. at 632; 507 S.E.2d at 892. The separate classification for trespassers has been retained. *Id.* The change in the common law rule, moreover, is retroactive as well as prospective. *Id.*

