

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
WALTON J. MCLEOD, CIRCUIT COURT JUDGE
Case No. 2022-CP-32-01419

Emily P. Smith and Emily P. Smith and Associates, LLC, Appellants,

v.

Robert T. Smith; Southern Collection, LLC;
Southern Collection Brokerage, LLC;
Terrance Smith and Associates, LLC; Robert B. Smith,
And Sherry C. Smith, Respondents.

CONSENT MOTION TO STAY PROCEEDINGS

Appellants Emily P. Smith and Emily P. Smith and Associates, LLC, together with Respondents, jointly move for an order staying proceedings in the above-captioned appeal until after completion of mediation, which is scheduled to reconvene on January 9, 2023.

Respectfully submitted,

s/ Haley Hubbard
Desa Ballard (S.C. Bar No. 498)
Harvey M. Watson III (S.C. Bar No. 74053)
Haley Hubbard (S.C. Bar No. 103195)

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ATTORNEYS FOR APPELLANTS

September 28, 2022

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Sep 28 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
WALTON J. MCLEOD, CIRCUIT COURT JUDGE

Appellate Case No. 2022-001060

Emily P. Smith and Emily P. Smith and Associates, LLC, Appellants,

v.

Robert T. Smith; Southern Collection, LLC;
Southern Collection Brokerage, LLC;
Terrance Smith and Associates, LLC; Robert B. Smith,
And Sherry C. Smith, Respondents.

PROOF OF SERVICE

I, Beth Cogan, an employee with Ballard & Watson, do hereby certify that on September 28, 2022, I served a copy of the **Consent Motion to Stay Proceedings**, in the above-captioned case on the following individuals by electronic mail using their email address listed in the Attorney Information System, addressed as follows:

Mark B. Goddard, Esquire
John B. Kelchner, Esquire
Turner Padget Graham & Laney, P.A.
mgoddard@turnerpadget.com
jkelchner@turnerpadget.com

Ashby L. Jones, Esquire
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Beth Cogan, Paralegal

September 28, 2022

Beth Cogan

From: Beth Cogan
Sent: Wednesday, September 28, 2022 2:58 PM
To: Mark B. Goddard; Kelchner, John B; Alyssa Iglesias; Ashby Jones; Gatlin, Cindy A; Betty Perdue
Cc: Desa Ballard; Haley Hubbard; Sheila Robinson; Liz Sineath
Subject: (Smith v. Smith 2022-001060) Ltr to COA encl Consent Motion to Stay
Attachments: 2022 09 28 Ltr to COA encl Consent Motion to Stay Proceedings.pdf; 2022 09 28 Consent Motion to Stay Proceedings.pdf; 2022 09 28 POS Consent Motion to Stay Proceedings.pdf

Good afternoon,

As discussed, the attached Consent Motion to Stay Proceedings is being filed today with the Court of Appeals.

Kindest Regards,
-Beth

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September 28, 2022

Via Email (ctappfilings@sccourts.org)
The Honorable Jenny Abbot Kitchings
Court of Appeals Clerk of Court
Post Office Box 11629
Columbia, South Carolina 29211

Re: *Emily P. Smith v. Robert T. Smith, et al.*
Case No.: 2022-001060

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Sep 28 2022

SC Court of Appeals

Dear Ms. Kitchings:

A copy of the last transcript related to the above-referenced matter was received by our office on September 22, 2022. According to our calculations, the Initial Brief of Appellant and Designation of Matter would therefore be due on Monday, October 24, 2022.

However, the parties have reached an agreement to propose the enclosed Consent Motion to Stay Proceedings. That order would, if this joint motion for its adoption be granted, stay these proceedings until after the parties have reconvened and held mediation, which is scheduled to occur on January 9, 2023.

Pursuant to paragraph (c) of the Supreme Court's administrative order dated August 25, 2021 ("Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules") a check for the filing fee associated with this motion and proposed order is being forwarded via US mail. By copy of this letter, this request along with its enclosures are being served upon Respondent's counsel.

Thank you in advance for your consideration of this joint request. If you have any questions, please do not hesitate to contact my office. With warm personal regards, I am,

Sincerely yours,

haley@desaballard.com

Enclosures

cc: *Via Electronic Mail*
South Carolina Court administration
Mark Goddard, Esquire
John Kelchner, Esquire
Ashby Jones, Esquire
Alyssa Iglesias, Esquire
Emily Smith