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**Oct 24 2022**  
**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Donald B. Hocker, Circuit Court Judge

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Case No.: 2021-CP-40-00206

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Rumsey Construction & Renovation, LLC dba Rumsey Construction  
& Restoration, .....Appellant,

v.

Thomas and Stacy Lanham, .....Respondents,

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**MOTION TO HOLD FILING DEADLINES IN ABEYANCE**

COMES NOW Appellant Rumsey Construction & Restoration, LLC dba Rumsey Construction & Restoration (“Rumsey”) by and through it undersigned counsel, and moves for filing deadlines to be held in abeyance. This Motion is being made as the parties continue to negotiate a potential settlement.

Rumsey respectfully requests that all filing deadlines be held in abeyance as negotiations continue. Respectfully, Rumsey believes that this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondents. Additionally, counsel for Respondents has graciously granted consent to this relief.

WHEREFORE, Rumsey moves this Honorable Court to grant this relief, and hold all filing deadlines in abeyance, indefinitely, as negotiations talks continue.

Respectfully submitted,

THE WARD LAW FIRM, P.A.  
*Attorneys for Appellant Rumsey Construction &  
Renovation, LLC dba Rumsey Construction &  
Restoration*

s/John E. Rogers, II  
John E. Rogers, II, (SC Bar #72779)  
P.O. Box 5663  
Spartanburg, SC 29304  
(864) 591-2366  
(864) 585-3090 (fax)  
Email: [jrogers@wardfirm.com](mailto:jrogers@wardfirm.com)

October 24, 2022

# Exhibit A

**From:** [josh@cantwelllawfirm.org](mailto:josh@cantwelllawfirm.org)  
**To:** [Jonathan Clark](mailto:Jonathan.Clark)  
**Cc:** [Kathleen Barnes](mailto:Kathleen.Barnes); [Sherry Santana](mailto:Sherry.Santana); [John Rogers](mailto:John.Rogers); [Kirby Parham](mailto:Kirby.Parham); [Julianna Brownlee](mailto:Julianna.Brownlee); [freeman@belsarpa.com](mailto:freeman@belsarpa.com)  
**Subject:** Re: Rumsey Construction & Renovation, LLC, et al. v. Thomas and Stacy Lanham; CA No.: 2021CP4000206; Appellant Case No.: 2022-000030  
**Date:** Friday, October 21, 2022 3:55:39 PM  
**Attachments:** [Appellant's Mot to Hold in Abeyance.pdf](#)

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Yes we consent. I'll follow up about the cost estimate.

Joshua P. Cantwell, Esq.  
Cantwell Law Firm, LLC  
P.O. Box 600  
Charleston, SC 29402  
(843) 801-4104  
[www.cantwelllawfirm.org](http://www.cantwelllawfirm.org)

On Oct 21, 2022, at 3:31 PM, Jonathan Clark <[jclark@wardfirm.com](mailto:jclark@wardfirm.com)> wrote:

All:

Having heard no objection from Josh, please see the attached proposed Motion, which we intend to submit on Monday.

**Josh, I see that we have received photographs from Mount Valley Foundation. Is that your clients' potential expert? If so, have they conducted any repair/remediations cost analysis for us to work off of as we seek to settle this case? As we mentioned, having anything documenting damages will help us make a counter-offer.**

Thank you all and have a great weekend!

**T. Jonathan Clark**  
The Ward Law Firm, P.A.  
233 S. Pine Street  
Spartanburg, SC 29302  
Direct: 864-591-2342  
Fax: 864-585-3090

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**From:** Kathleen Barnes <[kbarnes@barneslawfirm.com](mailto:kbarnes@barneslawfirm.com)>

**Sent:** Sunday, October 9, 2022 5:56 PM

**To:** Jonathan Clark <[jclark@wardfirm.com](mailto:jclark@wardfirm.com)>; Sherry Santana <[ssantana@wardfirm.com](mailto:ssantana@wardfirm.com)>

**Cc:** [josh@cantwelllawfirm.org](mailto:josh@cantwelllawfirm.org); John Rogers <[JRogers@wardfirm.com](mailto:JRogers@wardfirm.com)>; Kirby Parham

<kparham@wardfirm.com>; Julianna Brownlee <JBrownlee@wardfirm.com>;  
freeman@belsarpa.com

**Subject:** RE: Rumsey Construction & Renovation, LLC, et al. v. Thomas and Stacy  
Lanham; CA No.: 2021CP4000206; Appellant Case No.: 2022-000030

Hey Jonathan,

I hope you are doing well. As long as it is okay with Josh, I have no objection to a  
motion to hold the filing deadlines in abeyance while the parties try to resolve it.

Thank you,

Kathleen

---

**From:** Jonathan Clark <jclark@wardfirm.com>

**Sent:** Friday, October 7, 2022 6:23 PM

**To:** Kathleen Barnes <kbarnes@barneslawfirm.com>; Sherry Santana  
<SSantana@wardfirm.com>

**Cc:** josh@cantwelllawfirm.org; John Rogers <JRogers@wardfirm.com>; Kirby Parham  
<kparham@wardfirm.com>; Julianna Brownlee <JBrownlee@wardfirm.com>;  
freeman@belsarpa.com

**Subject:** RE: Rumsey Construction & Renovation, LLC, et al. v. Thomas and Stacy  
Lanham; CA No.: 2021CP4000206; Appellant Case No.: 2022-000030

Kathleen:

Good afternoon and apologies for the delay on this. Unless you have an objection, we  
are requesting an additional extension of time for all deadlines, as the parties continue  
to negotiate. We are hoping to secure a cost estimate from Mr. Cantwell to document  
the Plaintiffs' alleged damages, such that we can respond to the settlement demand.

I understand that the Court is willing to hold cases in abeyance as the parties  
negotiate. We are hopeful we can work this one out amicably. Would you object to a  
request for additional extension of all deadlines, or a request that the case be stayed  
for a period of time while we continue to negotiate?

Please advise.

Have a great weekend!

Sincerely,

**T. Jonathan Clark**

The Ward Law Firm, P.A.

233 S. Pine Street

Spartanburg, SC 29302

Direct: 864-591-2342

Fax: 864-585-3090

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Rumsey Construction & Renovation, LLC dba Rumsey Construction  
& Restoration, .....Appellant,

v.

Thomas and Stacy Lanham, .....Respondents,

\_\_\_\_\_  
**CERTIFICATE OF COUNSEL**

\_\_\_\_\_  
In accordance with Rule 211(b), SCACR, the undersigned certifies that the Motion to Hold  
Filing Deadlines in Abeyance complies with the Supreme Court Order of August 25, 2021.

**THE WARD LAW FIRM, P.A.**

*s/T. Jonathan Clark*  
John E. Rogers, II, (SC Bar No.: 72779)  
T. Jonathan Clark (SC Bar No.: 102672)  
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AND

**BELSER & BELSER, P.A.**

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*Attorneys for Appellant Rumsey  
Construction & Restoration, LLC dba  
Rumsey Construction & Restoration*

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---

**PROOF OF SERVICE**

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The undersigned hereby certifies that on October 21, 2022, it served the foregoing Motion to Hold Filing Deadlines in Abeyance via email (attached hereto as Exhibit A) and via the US Postal Service on October 24, 2022, containing the above-referenced document to all counsel of record's individual AIS email addresses pursuant to the SC Supreme Court COVID Order 2020-05-29-02. A list of counsel served is as follows:

Joshua P. Cantwell, Esquire  
Cantwell Law Firm, LLC  
PO Box 600  
Charleston, SC 29402  
843-801-4104  
[josh@cantwelllawfirm.org](mailto:josh@cantwelllawfirm.org)

AND

Kathleen C. Barnes, Esquire  
Barnes Law Firm  
PO Box 897

Hampton, SC 29924  
803-943-4529  
[kbarnes@barneslawfirm.com](mailto:kbarnes@barneslawfirm.com)

By:

**THE WARD LAW FIRM, P.A.**

*s/T. Jonathan Clark*

John E. Rogers, II, (SC Bar No.: 72779)

T. Jonathan Clark (SC Bar No.: 102672)

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*Attorneys for Appellant Rumsey  
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Rumsey Construction & Restoration*

October 24, 2022