

RECEIVED

Oct 28 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Appellate Case No.: 2022-000981

Linda Hooker.....Appellant,

v.

McDonald’s Corporation, McDonald’s Real Estate Company, JKS & K, Inc., Pam Hampton, and
Proline Striping Service, Inc.....Respondents.

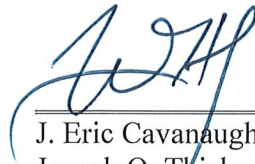
MOTION TO DISMISS RESPONDENT PROLINE STRIPING SERVICE, INC.

The underlying action arises out of a slip-and-fall accident that occurred at a McDonald’s franchised location at 8940 Old Number Six Highway in Orangeburg County on or about July 28, 2018. Appellant initially brought suit against Respondents McDonald’s Corporation, McDonald’s Real Estate Company, J K S & K, Inc., the franchisee, and Pam Hampton, the store manager. Appellant alleged, in relevant part, that she slipped and fell on a white painted line in the parking lot. Complaint, March 30, 2020, at ¶¶ 12 – 16. After initial discovery, Appellant amended her Complaint to add Proline Striping Service, LLC, the entity that allegedly painted/striped the parking lot at the direction of McDonald’s Corporation and/or it’s franchisee. Amended Complaint, October 23, 2020, at ¶¶ 13 – 19. During the pendency of this appeal, Appellant and Respondent Proline Striping Service, LLC, were able to reach a confidential settlement and resolve the claims brought against Respondent Proline Striping Service, LLC.

WHEREFORE Appellant prays that the Court dismiss Respondent Proline Striping

Service, LLC from this appeal, and remand the case against Respondent Proline Striping Service, LLC to the circuit court for the sole purpose of settlement approval.

Our firm's check in the amount of \$50.00 for the filing fee is being sent via US Mail to the Court contemporaneous with this filing.



J. Eric Cavanaugh, S.C. Bar No. 100044
Joseph O. Thickens, S.C. Bar No. 101398
William H. Yarborough, Jr., S.C. Bar No. 102868
Cavanaugh & Thickens, LLC
1717 Marion Street (29201)
Post Office Box 2409
Columbia, SC 29202
Tel: (803) 888-2200
Fax: (803) 888-2219
eric@ctlawsc.com
joe@ctlawsc.com
will@ctlawsc.com
Attorneys for Appellant

Other Counsel of Record
Clyde C. Dean, Jr., S.C. Bar No. 1606
The Dean Law Firm, LLC
146 Centre St.
Orangeburg, SC 29115
Attorney for Appellant

Joseph D. Thompson, III, SC Bar No. 66580
Hall Booth Smith, P.C.
111 Coleman Boulevard, Suite 31
Mount Pleasant, SC 29464
Attorney for Respondents McDonald's Corporation, McDonald's Real Estate Company, JKS & K, Inc. and Pam Hampton

Peden Brown McLeod, Jr., SC Bar No. 74967
McLeod, Fraser & Cone LLC
P.O. Drawer 230
Walterboro, SC 29488
Attorney for Respondent Proline Striping Service, Inc.

RECEIVED

Oct 28 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Appellate Case No.: 2022-000981

Estate of Linda Hooker,.....Appellant,

v.

McDonald’s Corporation, McDonald’s Real Estate Company, JKS & K, Inc., Pam Hampton, and
Proline Striping Service, Inc.....Respondents.

PROOF OF SERVICE

I certify that I have served the Motion to Dismiss on all attorneys of record, by depositing a copy of it in the United States Mail, postage prepaid on October 28, 2022, addressed to the Respondents’ attorneys of record.

October 28, 2022

SIGNATURE PAGE FOLLOWS



J. Eric Cavanaugh, S.C. Bar No. 100044
Joseph O. Thickens, S.C. Bar No. 101398
William H. Yarborough, Jr., S.C. Bar No. 102868
Cavanaugh & Thickens, LLC
1324 Gadsden Street (29201)
Post Office Box 2409
Columbia, SC 29202
Tel: (803) 888-2200
Fax: (803) 888-2219
eric@ctlawsc.com
joe@ctlawsc.com
will@ctlawsc.com
Attorneys for Appellant