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Nov 09 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas
John C. Hayes, III, Circuit Court Judge
Brian M. Gibbons, Circuit Court Judge

Case Nos.: 2018-CP-12-00117
2018-AP-12-00074

Appellate Case Nos. 2022-001312 and 2022-001390

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard,..... Plaintiffs,
Of whom Heidi Gersten is the,Appellant.

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Insurance
Company, Interinsurance Exchange of the Automobile Club, John
Ammendola, Trustguard Insurance Company, SC Department of
Public Safety, Chevrolet, GMC, Unknown Joe Does, Respondents.

**MOTION TO DISMISS APPEAL AS TO
INTERINSURANCE EXCHANGE OF
THE AUTOMOBILE CLUB**

Reynolds Williams, Esquire
Post Office Box 1909
Florence, South Carolina 29503
843-662-3258
Attorney for Respondent
Interinsurance Exchange of the
Automobile Club

The Respondent, Interinsurance Exchange of the Automobile Club (“Respondent AAA”) moves that it be dismissed from the Appeal in this matter.

The basis for the Motion is that on September 19, 2018 the lower court granted the moving Respondent’s Motion to Dismiss it from the cases then pending in the Court of Common Pleas for Chester County. From that Order this Appellant appealed. On May 14, 2019, this Court entered its Order dismissing the appeal.

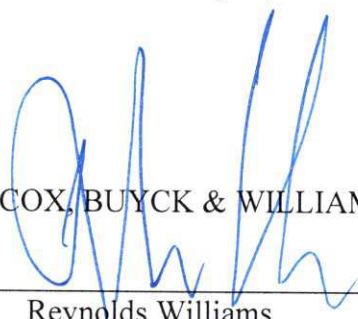
The Appellant filed a Motion to Reinstate or to rehear the dismissal of this appeal. On July 20, 2019, this court entered its Order denying the Appellant’s motion to reinstate or to rehear. The Appellant then filed a Petition for Writ of Certiorari on September 24, 2019. On April 24, 2020, the Supreme Court of South Carolina filed an Order denying the Appellant’s Petition for Writ of Certiorari and on June 23, 2020, the Court entered a Remittitur to the Circuit Court of Chester County.

As a result, your moving Respondent has not been a party to this case since it was dismissed in 2018.

Respectfully submitted,

WILLCOX, BUYCK & WILLIAMS, P.A.

BY: _____


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**Attorney for Respondent Interinsurance
Exchange of The Automobile Club**

Florence, South Carolina
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CERTIFICATE OF SERVICE

The undersigned employee of Willcox, Buyck & Williams, P.A., counsel for the Respondent Interinsurance Exchange of The Automobile Club, does hereby certify that service of the **Respondent's Motion To Dismiss Appeal as to Interinsurance Exchange of the Automobile Club** in the above-captioned cases was made upon all parties and counsel of record by depositing a copy of same in the US Mail, postage prepaid, to:

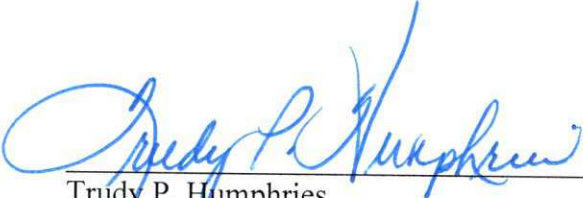
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November 9, 2022



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SC Court of Appeals

Via Email & US Mail (ctappfilings@sccourts.org)
HONORABLE JENNY A. KITCHINGS
SC COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211

Re: Heidi Gersten, et al v. Kevin Carter, et al
Appellate Case Nos.: 2022-001390 and 2022-001312
Our File No.: 13443.17168

Dear Ms. Kitchings:

Please find enclosed for filing the originals and seven copies each of Respondent Interinsurance Exchange of The Automobile Club's **Motion to Dismiss Appeal** as to this Respondent in connection with the above case. Also enclosed is our firm's check in the amount of \$50.00 for the filing of this Motion. Please file the original and return a clocked-in copy to us in the self-addressed, stamped envelope.

By copy of this correspondence, we are serving a copy on Appellant and counsel of record.

Yours very truly,

Reynolds Williams
Email: reynolds@willcoxlaw.com

RW/tph
Enclosures

Cc: Heidi Gersten
David Richard Sligh, Esquire
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Christian Stegmaier, Esquire
Wesley Brian Sawyer, Esquire
William H. Davidson, II, Esquire