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**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

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Case No. 2021-CP-26-01328

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Jane Doe, Respondent,

v.

Massage Envy Franchising, LLC; Palmetto Wellness Group, LLC;  
Palmetto Wellness Group, SC, LLC, d/b/a Massage Envy Grand Dunes;  
and PGD Investments, Inc., Defendants.

Of whom Massage Envy Franchising, LLC is the Appellant.

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**AGREED DISMISSAL OF APPEAL**

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Pursuant to Rule 260(b) of the South Carolina Appellate Court Rules, Appellant and Respondents jointly request the Court enter an order dismissing this appeal pursuant to agreement by all parties, by and through their undersigned counsel. The parties further agree each party shall bear its own costs and attorneys' fees incurred in connection with this appeal.

*[Signature Page to Follow]*

**We consent:**

s/ Lindsay A. Joyner

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Lindsay A. Joyner, SC BAR NO. 77437

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*Attorneys for Palmetto Wellness Group, LLC;  
Palmetto Wellness Group SC, LLC; &  
Massage Envy Grande Dunes*

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and PGD Investments, Inc., Defendants.

Of whom Massage Envy Franchising, LLC is the Appellant.

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**PROOF OF SERVICE**

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This is to certify that the undersigned counsel has caused to be served this day (1) copy of the Agreed Dismissal of Appeal via electronic mail at the address stated in the Supreme Court Order 2022-05-06-03 and in accordance with Rule 262 of the South Carolina Appellate Court Rules and as set forth below to the following:

Scott Christopher Evans (SC Bar 77684)  
James Bernice Moore, III (SC Bar 74268)  
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Attorneys for Palmetto Wellness Group, LLC;  
Palmetto Wellness Group SC, LLC; &  
Massage Envy Grande Dunes

A copy of the email serving counsel for Respondents is attached hereto.

Respectfully Submitted,

s/ Lindsay A. Joyner  
John T. Lay, SC BAR NO. 64526  
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Attorneys for Appellant Massage Envy  
Franchising, LLC

January 3, 2023  
Columbia, South Carolina

**From:** [Lindsay Joyner](#)  
**To:** "[scott@evansmoorelaw.com](mailto:scott@evansmoorelaw.com)"; "[James B. Moore III](#)"; "[Brian Kent](#)"; "[Stewart Ryan](#)"  
**Cc:** "[Blackburn, Cherie](#)"; "[Ricard, Rhett D.](#)"; "[Jasmine D. Smith](#)"; "[Cal Watson](#)"; "[Jillian Hansen](#)"; "[Brachman, Paul D](#)"  
**Bcc:** "[9461 2 Jane Doe v Massage Envy Franchising LLC Palmetto Wellness Group LLC Palmetto Wellness Group SC LLC d b a Massage Envy Grande Dunes and PGD Email 9461 2](#)"  
**Subject:** Jane Doe, plaintiff v. Massage Envy Franchising, LLC, et al Case No. 2021-CP-26-01328 [GWB-IMANMAIN.FID868764]  
**Date:** Tuesday, January 3, 2023 3:56:33 PM  
**Attachments:** [2022.01.03 Ltr to COA re Agreed Dismissal of Appeal.pdf](#)  
[\[FINAL\] Dismissal of Appeal.pdf](#)

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Good afternoon, all!

As permitted by Supreme Court Order 2022-05-06-03, part (d)(1), and pursuant to Rules 260 and 262 of the South Carolina Appellate Court Rules, I am herewith serving via email the Agreed Dismissal of Appeal in the above-captioned matter. Shortly, I will be filing these documents with the Court of Appeals as permitted by Order 2022-05-06-03, part (b)(2), and I will attach this email to the proof of service of the same.

Should you have any issues opening the attachments, please let me know. Thank you.

With warmest regards,

Lindsay



**Lindsay Anne Joyner**  
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This message is from the law firm Gallivan, White & Boyd, PA and may be a confidential and privileged legal communication to the named recipient(s). If you receive this message in error or are not the named recipient(s), please notify the sender and delete this email. Thank you.

January 3, 2023

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**SC Court of Appeals**

**VIA EMAIL ONLY**

Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Re: *Jane Doe v. Massage Envy Franchising, LLC et al.*  
Horry County C/A No. 2021-CP-26-01328  
Appellate Case No. 2021-001439  
GWB File No. 9461-2

Dear Ms. Kitchings:


Attached for electronic filing in accordance with Supreme Court Order 2022-05-06-03, part (b)(2), and pursuant to Rules 260 and 262 of the South Carolina Appellate Court Rules, please find the Agreed Dismissal of Appeal in the above-captioned matter. As permitted by Order 2021-08-25-03, no other copies, whether paper or electronic, are being provided, unless requested by the Court.

Although this has been consented to by all parties, by copy of this letter, we are serving counsel via email as permitted by Order 2022-05-06-03, part (d)(1), and attached is a proof of service to that effect.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.



Lindsay A. Joyner

LAJ/jh  
Enclosure

cc: Scott Christopher Evans

James Bernice Moore, III  
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