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Apr 25 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Shannon M. Phillips, Master-in-Equity

Spartanburg County Case Nos. 2021-CP-42-00086 and 2021-CP-42-00504

Consolidated Appellate Case No. 2022-001420

Gibbs International, Inc. Respondent,

vs.

Vidalia Industrial Facilities, LLC,..... Appellant.

AND

Vidalia Industrial Facilities, LLC and
Indigo Industrial Investments, LLC,..... Appellants,

vs.

Gibbs International, Inc., Gregory R. Boozer, and
Jimmy I. Gibbs,..... Respondents.

AND

GBPT, LLC..... Respondent,

vs.

Rumsfeld Indigo, LLC Appellant.

**JOINT MOTION FOR STAY
OF TIME LIMITS**

Pursuant to Rules 240(a)-(b) of the South Carolina Appellate Court Rules, Appellants and Respondents (collectively, the “Parties”) hereby request a one hundred fifty (150) day stay on all time limits, deadlines, and arguments in this appeal. The Parties have engaged in significant and fruitful settlement negotiations regarding a final resolution of all claims on which this appeal is based, and have reached an agreement on the fundamental terms of an ultimate settlement; however, it will take some time to document and implement the fairly intricate structure of agreement in principal for the resolution. It is anticipated that this appeal will become moot no more than one hundred twenty days (120) following execution of the final settlement agreement documentation. Further, the Parties anticipate that a final settlement agreement will be executed within thirty days of the filing of this joint motion. Appellants’ Record on Appeal is currently due May 1, 2023. If the Court were to grant this Joint Motion, the Parties’ next filing deadline will be Appellants’ September 28, 2023 requirement to file the Record on Appeal. The Parties certify that this motion is not presented to delay, but in an effort to avoid unnecessary efforts by the Court and the Parties.

The Parties further request that the Court hold all current deadlines in abeyance pending the Court’s consideration of this motion.

SIGNATURES ON FOLLOWING PAGE

This the 25th day of April, 2023.

/s/ Tyler J. Mitchell

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Respectfully submitted,

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