

The South Carolina Court of Appeals

Branch Banking and Trust Company, Respondent,

v.

Graphic Express, LLC, Lanny R. Gunter II, and Harry B. Benenhaley, Appellants.

Appellate Case No. 2012-213203

ORDER

Respondent has filed a motion to dismiss or, in the alternative, a motion to strike the deposition of Lanny Gunter from the record on appeal. Appellants filed a return in opposition to the motion to dismiss; however, Appellants did not contest the motion to strike.

The motion to dismiss is denied. Nothing in this order, however, prevents Respondent from raising the issue of preservation in its brief.

The motion to strike is granted. Within thirty days, Appellants shall file an amended initial brief and designation of matter, which excludes all references to the deposition.


FOR THE COURT

Columbia, South Carolina

cc:

Laura Gaillard Simons

S. Jahue Moore

John Calvin Bradley, Jr.

FILED

7/2/13 AT