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Jun 30 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.

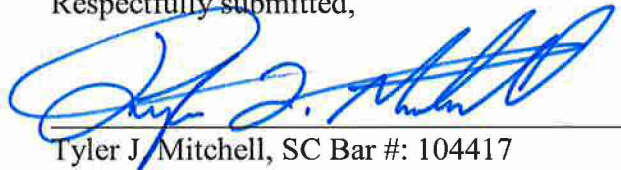
Rumsfeld Indigo, LLC Appellant.

NOTICE OF LITIGATION STATUS

On May 2, 2023, the Court ordered that this matter be held in abeyance. In its order, the Court ordered that Appellants provide the Court a status update every sixty days. This pleading is intended to meet that obligation.

The parties to this appeal entered into a settlement agreement on May 23, 2023. The settlement agreement contemplates performance of certain future obligations before the appeal may be withdrawn and the underlying actions dismissed and/or satisfied. At this time, the parties remain on schedule to meet all obligations under the settlement agreement and intend to resolve this action in the requested abeyance period.

Respectfully submitted,



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CERTIFICATE OF SERVICE

Undersigned counsel attests that all parties to this suit were served with the foregoing Appellant's Brief by emailing each a copy of same to the email address provided by their counsel-of-record in the South Carolina Attorney Information System.



Tyler J. Mitchell