

RECEIVED

Jul 07 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF YORK

SIXTEENTH JUDICIAL CIRCUIT

Daniel P. Cedrone and Poly-Tech
Industrial, Inc.,

C.A. NO. 2019-CP-46-00051

Plaintiffs,

**ORDER DENYING DEFENDANTS’
MOTION TO RECONSIDER,
CLARIFY, ALTER, OR AMEND
ORDER GRANTING PLAINTIFFS’
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

v.

Composite Resources, Inc.,

Defendant.

This matter came before the Court on Defendant Composite Resources, Inc.’s (“**Defendant**” or “**Composite Resources**”) Motion to Reconsider, Clarify, Alter, or Amend Order Granting Plaintiffs’ Motion for Partial Summary Judgment (the “**Motion to Reconsider**”). Plaintiffs filed their Opposition to the Motion to Reconsider on October 26, 2022, and Defendant filed a Reply on November 2, 2022. On November 15, 2022, Defendant filed a Supplement in Support of Motion to Reconsider, Clarify, Alter, or Amend Order Granting Plaintiffs’ Motion for Partial Summary Judgment (the “**Supplement**”). Plaintiffs filed their Opposition to the Supplement on November 22, 2022, and Defendant filed a Reply on December 5, 2022.

Having reviewed the papers submitted by the parties in connection with the Motion to Reconsider and Supplement, along with the arguments made by counsel at the two hearings the Court held that included consideration of the Motion to Reconsider, this Court hereby denies the Motion for Reconsideration. In denying the Motion to Reconsider, the Court also hereby clarifies the September 29, 2022 Order Granting Plaintiffs’ Motion for Partial Summary Judgment, to reserve to the jury the question of how to calculate

commissions due and raw material payments due. To the extent paragraph 1, at the bottom of page 18, and paragraph 2, at the top of page 19, impose, or can be read as imposing, a mandatory calculation formula, that language and/or conclusion is stricken.¹

For the reasons stated herein, Defendant's Motion to Reconsider, Clarify, Alter, or Amend Order Granting Plaintiffs' Motion for Partial Summary Judgment is hereby **DENIED**.

IT IS SO ORDERED.

This ___th day of June, 2023.

The Honorable J. Mark Hayes, II

¹ Based upon the presentations related to the Plaintiff's conversion claim, and this Court's grant of Summary Judgment in favor of the Defendant, the present ruling is warranted.



York Common Pleas

Case Caption: Daniel P Cedrone , plaintiff, et al VS Composite Resources Inc

Case Number: 2019CP4600051

Type: Order/Other

IT IS SO ORDERED

s/ J. Mark Hayes, II #2132