

**RECEIVED**

**Nov 27 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

APPEAL FROM Horry County  
The Honorable Cordell Maddox, Jr.

---

Appellate Court Case 2023-001099

---

TNT and More, Inc., d/b/a Crab Catchers on the Waterfront ..... Appellants,

v.

TnW & More, LLC d/b/a Little River Watersports, Eric Rolf, Justin Whitley, and  
Stephen Rolf, individually, a/k/a Atlantic Jet Ski Rentals, LLC d/b/a East Coast Jet Ski  
Adventures ..... Respondents

---

ADDITIONAL SUPPORT FOR MOTION TO DISMISS

---

Counsel for Respondents previously file this motion to dismiss on the grounds of mootness. The parties submitted a consent Order vacating the temporary restraining order/temporary injunction to the lower court and now present a fully executed Consent Order which resolves all issues raised on appeal. There is no reason for the parties to incur additional fees and costs if the issues are resolved.

**This 24th day of November, 2023**

Tucker S. Player (S.C. Bar No. 16217)  
PLAYER LAW FIRM  
512 Village Church Drive  
Chapin, SC 29036  
803-315-6300  
Attorney for Respondents

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT

Thomas Wade Long and Clyde Kiser, )  
Individually and on Behalf of TnW and )  
More, LLC, )

Civil Action No. 2021-CP-26-01512

Plaintiffs, )

Timothy D. Kettner, Donald Kettner and )  
TNT and More, Inc. d/b/a Crab Catchers )  
on the Waterfront, )

**CONSENT ORDER RESCINDING  
TEMPORARY INJUNCTION ORDER  
ISSUED ON BEH**

Defendants. )

\_\_\_\_\_  
TNT and More, Inc., d/b/a Crab Catchers )  
On the Waterfront, )

Civil Action No. 2021-CP-26-04496

Plaintiff, )

vs. )

TnW and More, LLC, d/b/a Little River )  
Water Sports and Eric Rolf, Justin Whitley, )  
and Stephen Rolf, Individually, and a/d/a )  
Atlantic Jet Ski Rentals, LLC d/b/a East )  
Coast Jet Ski Adventures, )

\_\_\_\_\_  
Defendants. )

**CONSENT ORDER TO RESCIND THE TEMPORARY INJUNCTION ORDER ISSUED  
ON BEHALF OF ERIC ROLF, JUSTIN WHITLEY, AND STEPHEN ROLF,  
INDIVIDUALLY, AND A/D/A ATLANTIC JET SKI RENTALS, LLC D/B/A EAST  
COAST JET SKI ADVENTURES**

This Court issued a temporary injunction order on November 30, 2022 on behalf of Eric Rolf, Justin Whitley, and Stephen Rolf, Individually, and a/d/a Atlantic Jet Ski Rentals, LLC d/b/a East Coast Jet Ski Adventures, enjoining Plaintiffs in the above-captioned matter from interfering with their business operations during the pendency of this litigation. Your Honor issued a modified

temporary injunction order on June 9, 2023 requiring a surety bond to be posted in the amount of twenty thousand dollars (\$20,000).

The protected parties no longer have any business interests in the marina and have selected not to post the bond required by your Honor. Plaintiffs filed an appeal of the temporary injunction order and the modified temporary injunction order which are both now moot and we ask that this Court rescind the original temporary injunction order filed 11/30/2022 and the modified temporary injunction order 7/9/2023 so that the appeal can be dismissed. Counsel for both parties consent as evidenced by their digital signatures below.

THEREFORE, the Court's original temporary injunction order and modified temporary injunction order are both rescinded as moot and the protected parties chose not to post the required surety bond. This resolves the motion filed by Plaintiffs on August 17, 2023.

IT IS SO ORDERED.

This 8<sup>th</sup> day of November, 2023

I CONSENT:

/s/Howell Bellamy, III  
Howell Bellamy, III, Esquire  
Bellamy Law Firm  
1000 29<sup>th</sup> Avenue North  
Myrtle Beach, SC 29577  
Telephone: (843) 448-2400  
Email: [hbellamyiii@bellamylaw.com](mailto:hbellamyiii@bellamylaw.com)

\_\_\_\_\_  
Judge Cordell Maddox

WE SO CONSENT:

/s/Tucker Player  
Tucker Player, Esquire  
Player Law Firm  
512 Village Church Drive  
Chapin, SC 29036  
Telephone: 803-315-6300  
Email: [tucker@playerlawfirm.com](mailto:tucker@playerlawfirm.com)

/s/Stan Barnett  
Stan Barnett, Esquire  
305 North Civitas Street  
Mount Pleasant, SC 29464  
Telephone: 843-708-4887  
Email: [Stan.barnett@yahoo.com](mailto:Stan.barnett@yahoo.com)



## Horry Common Pleas

**Case Caption:** TNT And More Inc , plaintiff, et al VS TnW And More LLC ,  
defendant, et al  
**Case Number:** 2021CP2604496  
**Type:** Order/Consent Order

So Ordered

s/ J. Cordell Maddox Jr.