

BA Holdings Inc  
PLAINTIFF(S)

Zay N Limo LLC et al  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

Please see page two below.

**ORDER INFORMATION**

This order  ends  does not end the case.

See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 10/13/2023 .

**RECEIVED**  
**Dec 20 2023**  
**SC Court of Appeals**

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

---

This matter is before the Court on Defendants' Motion for Partial Summary Judgment as to all Claims Asserted in the Complaint by Plaintiff BA Holdings, INC. and Plaintiff's Motion to Amend Complaint. Based on a review of the file, submissions by the parties, and oral arguments, the Defendants' motion is hereby GRANTED. The evidence reveals that Plaintiff never had the right to sell a Big Air Franchise nor the right to sell the Anderson territory. Furthermore, Plaintiff did not have the rights to own and operate any franchises. Although, BA Greenville LLC did have the rights to own one franchise, they did not have the right to sell a franchise or the Anderson territory. Nor did Plaintiff have the authority to open an additional franchise. Based on the decision on Defendant's motion, Plaintiff's Motion to Amend is moot and therefore denied. Counsel for Defendants to prepare a formal order.

It is so ordered.



Greenville Common Pleas

**Case Caption:** BA Holdings Inc vs. Zay N Limo LLC , defendant, et al

**Case Number:** 2023CP2302302

**Type:** Order/Electronic Form 4

So Ordered

G.D. Morgan Jr.