

STATE OF SOUTH CAROLINA
In the Court of Appeals

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Jan 16 2024

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

SC Court of Appeals

The Honorable Maite Murphy
Circuit Court Judge

Appellate Case No. 2024-000034
Case No. 2021-CP-18-02173

Shannon Shaw.....Respondent,

v.

Amazon.com, Inc.; Amazon.com, LLC;
Amazon.com Services, Inc.; Amazon
Logistics, Inc.; MJV Logistics, LLC; And
Kevin Anthony Bleicki, Defendants,

Of which Amazon.com, Inc.; Amazon.com, LLC;
Amazon.com Services, Inc.; and Amazon
Logistics, Inc. are.....Appellants.

REPLY IN SUPPORT OF MOTION FOR LIMITED REMAND

This Court should grant Appellants Amazon.com, Inc.; Amazon.com, LLC; Amazon.com Services, Inc; and Amazon Logistics, Inc.’s (collectively, “Appellants”) motion and order a limited remand for the trial court to rule on Appellants’ pending post-trial motions. Respondent Shannon Shaw has consented to Appellants’ request for remand, claiming “this appeal is premature and improper.” (Return at 1). Specifically, Respondent argues the time for which to appeal is stayed pending the resolution of Appellants’ timely motion to alter or amend the award of punitive damages pursuant to Rule 59(e), SCRPC. (*Id.*). Based on this argument, Respondent requests this

Court either dismiss the appeal without prejudice or hold the appeal in abeyance and remand the case to the trial court. (*Id.* at 2).¹ For the reasons set forth in their Motion for Limited Remand, Appellants request this Court hold the appeal in abeyance and remand for the trial court to take all appropriate action on all pending post-trial motions.

Respectfully submitted,

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Columbia, South Carolina
January 16, 2024

¹ Respondent cites *Hudson v. Hudson*, 290 S.C. 215, 216, 349 S.E.2d 341, 342 (1986), in support of his request for dismissal without prejudice. (Return at 2). However, *Hudson* is limited to cases in which “timely post trial motions are filed under Rule 59, *simultaneously with or subsequent to* the filing of a Notice of Appeal[.]” *Id.* at 216, 349 S.E.2d at 342. Here, the timely post-trial Rule 59 motions were filed twenty-one days *before* the filing of a Notice of Appeal.