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Jan 25 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

IN THE COURT OF COMMON PLEAS
5th Judicial Circuit

Daniel Coble, Circuit Court Judge

CASE NO.: 2021-CP-40-03542

Appellate Case No. 2023-000788

Logan Saunders,

Appellant,

v.

Beta Upsilon Chi Fraternity, Inc., a/k/a Beta
Upsilon Chi, Michael Vinzani, Graham
Harmon, and Walker Wood,

Respondents.

WESLEY D. FEW, LLC

/s/Wesley D. Few

Wesley D. Few, S.C. Bar No. 15565

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Greenville, South Carolina 29604

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CONSENT ORDER DISMISSING APPEAL

On May 12, 2023, Appellant Logan Saunders (“Saunders”) filed an appeal of the circuit court’s Order entered May 4, 2023, Order Granting Defendant / Respondent Beta Upsilon Chi Fraternity, Inc. Relief from Default. Pursuant to Rules 240 and 260(b) and (c), SCACR, Appellant Saunders moves for this Court to dismiss the appeal by consent of the parties and because the parties agree this appeal is premature under S.C. Code Ann. § 14-3-330. Respondent

previously filed its motion to dismiss based on Section 330 (filed Nov. 7, 2023). Respondent consents to the dismissal of this appeal and remand of the case to the Circuit Court under Rule 260(b) and / or (c), SCACR. As part of this agreement, neither party will seek fees or costs of this appeal.

IT IS THEREFORE ORDERED:

This appeal is hereby dismissed, and the case remanded to the Circuit Court.

AND IT IS SO ORDERED.

FOR THE COURT

BY: _____
CLERK

Columbia, South Carolina

January __, 2024

WE CONSENT:

I CONSENT:

/s/Wesley D. Few

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/s/Matthew G. Gerrald

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(via E-File / NEF)

ATTORNEYS FOR RESPONDENT

January 25, 2024

Greenville and Columbia, South Carolina

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PROOF OF SERVICE

On behalf of Appellant Logan Saunders, the undersigned hereby certifies that on January 25, 2024, the **Appellant's Consent Motion Dismissing Appeal** was served on all counsel of record and the Court of Appeals Clerk of Court via E-File and/ or Email as follows:

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals – Clerk of Court
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

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January 25, 2024
Columbia, South Carolina

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Via E-File:

The Hon. Jenny Abbott Kitchings, Clerk of Court

South Carolina Court of Appeals

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Columbia, South Carolina 29211

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RE: Logan Saunders v. Beta Upsilon Chi Fraternity, Inc., a/k/a Beta Upsilon Chi, Michael Vinzani, Graham Harmon, and Walker Wood
Case No.: 2021-CP-40-03542
Appellate Case No. 2023-000788
Our File No.: 00272-001

Dear Ms. Kitchings:

Enclosed for filing is Appellant Logan Saunders's proposed Consent Order Dismissing Appeal and proof of service for same.

If you have any questions or need anything further, please do not hesitate to contact me (cell #864-527-5906).

Sincerely Yours,



Wesley D. Few

Enclosures

WDF/cgy

CC: Matthew G. Gerrald, Esquire (*Via E-File*)
Curtis W. Dowling, Esquire (*Via E-File*)
Matthew Abee, Esquire (*Via E-File*)
Tyler L. Walker, Esquire (*Via E-File*)
Client (*Via email*)