

**RECEIVED**

**May 30 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM DORCHESTER COUNTY  
In the Court of Common Pleas for the First Judicial Circuit

The Honorable James E. Chellis, Master in Equity

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Case No. 2019-CP-18-02217  
Appellate Case No. 2024-000834

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Virgie C. Simmons Family, LLC.....Plaintiff/ Appellant

vs.

Limetrade, LLC and Limehouse Produce, LLC.....Defendants/Respondents

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**RESPONDENTS' MOTION  
TO DISMISS**

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The Respondents, Limetrade, LLC and Limehouse Produce, LLC, (the "Respondents"), by and through their undersigned counsel, hereby move the Court for an Order dismissing Limehouse Produce, LLC as this entity was not named as a party in the original lawsuit filed with the court on December 3, 2019, a copy of which is attached hereto as Exhibit A. The Plaintiff's Complaint is made to Limetrade, LLC and Limehouse Produce Company, Inc. Limehouse Produce, LLC is the new ownership entity established on December 21, 2023, and is not involved in this litigation.

Counsel requests that all timelines be held in abeyance while the Court considers this request.

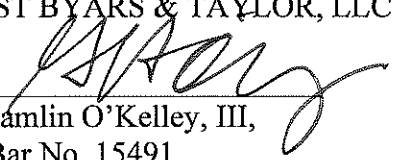
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Respectfully submitted.

Mt. Pleasant, South Carolina

May 30, 2024

BUIST BYARS & TAYLOR, LLC

  
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*Attorney for the Respondents*

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PROOF OF SERVICE

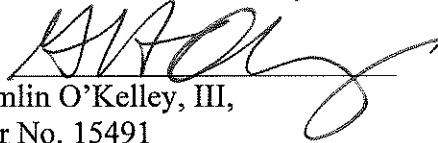
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I certify that I have served the Respondents' Motion to Dismiss by depositing a copy of same in Via Email [jfletcher@barnwell-whaley.com](mailto:jfletcher@barnwell-whaley.com) and [mbarfield@barnwell-whaley.com](mailto:mbarfield@barnwell-whaley.com) and Via US Mail, addressed to John W. Fletcher and K. Michael Barfield, Barnwell Whaley Patterson & Helms, LLC, 211 King Street, PO Drawer H, Charleston, SC 29402.

Mt. Pleasant, South Carolina

May 30, 2024

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May 30, 2024

VIA EMAIL: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)  
AND US MAIL  
The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

*RE: Virgie C. Simmons Family, LLC v Limetrade, LLC et al.,  
C/A No.: 2019-CP-18-02217  
Appellate Case No. 2024-000834  
Client File No.: 1374.0004*

Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of the Motion to Dismiss and Proof of Service in the above-referenced matter along with the filing fee in the amount of \$50.00.

Should you have any questions, please feel free to contact me.

With kindest regards, I remain

Yours very truly,

G. Hamlin O'Kelley, III

GHOIII/atd  
Enclosures

Cc: (w/ Encl. Via Email and US Mail)  
John W. Fletcher, Esq. ([jfletcher@barnwell-whaley.com](mailto:jfletcher@barnwell-whaley.com))  
K. Michael Barfield, Esq. ([mbarfield@barnwell-whaley.com](mailto:mbarfield@barnwell-whaley.com))