

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
CIVIL ACTION NO. 2020CP2605135

Greg Lilly a/k/a Gregory Stuart Lilly, II, )  
and Laura Lilly, )  
Plaintiffs, )  
vs. )  
Steven S. Walkup, )  
Defendant. )

**RECEIVED**  
AUG 28 2024  
SC Court of Appeals  
ORDER  
(Not ending action)

This matter was heard before me on October 19, 2023 at 2:00 p.m. pursuant to a Notice of Hearing that was filed September 6, 2023. Present at the hearing were the Plaintiffs and their attorney, William Paul Young and the Defendant, Steven S. Walkup proceeding pro se.

The court expressed concern over the parties' failure to adhere to the scheduling order. Mr. Young stated the Order relieving the Defendant's prior counsel did not take effect until mid - August 2023. At that at that time, the Defendant had not received his file from his prior attorney with the discovery materials. Mr. Walkup then explained the reasons why it was taking him so long to get the materials. The Court reminded Mr. Walkup that even though he was appearing pro se, he was still responsible for following the same rules of court and the same law that the Plaintiff's attorney is required to follow.

The hearing proceeded to address the outstanding motions that were pending before the court. The first motion was a motion to compel filed by the Plaintiffs. Mr. Young informed the Court that that motion had been resolved.

The second motion was Defendant's Motion to Compel Mediation. The Defendant informed the Court that Plaintiff's agreed to a mediation. The mediation was scheduled with Mr.

Robert Buffington, but Defendant had to cancel because he had Covid. Mediation is ordered according to the schedule set forth below in this order.

The third motion was Defendant's Motion to Amend his answer. Mr. Young informed the Court that Mr. Walkup's motion did not include the proposed Amended Answer and Counterclaim and that he had no idea what he was trying to amend. The Court denied the Motion to Amend. Mr. Walkup may renew his motion regarding any newly discovered facts but said motion must be properly submitted according to the South Carolina Rules of Civil Procedure and should contain a copy of the Amended Complaint.

The fourth motion was Defendant's Motion to Inspect the property. Mr. Young stated that he emailed the Defendant with notice that he could inspect the property on Oct. 18, 2023 at 2:00. The Plaintiff, Mrs. Lilly, took off work and was there from 2:00-2:30. Mr. Walkup did not show for the inspection. Mr. Walkup stated that he never received the email. The motion to inspect the property is granted. The inspection shall be scheduled as soon as possible due to the discovery deadline. The date and time for the inspection must be acknowledged by all parties to prevent delay or miscommunication.

The fifth motion was a motion by Defendant to compel to Cascade/Green Tree (lender on the property); to provide the materials previously delivered to Mr. Walkup's prior attorney. Cascade/Green Tree shall provide requested materials at Mr. Walkup's expense.

The sixth motion was Plaintiff's Motion in Limine to exclude testimony of persons listed as witnesses in which Mr. Walkup failed to provide notice to Plaintiff of the content of expected testimony. Mr. Walkup must amend his discovery responses to provide a brief synopsis of each witnesses' anticipated testimony within ten (10) days of the date of this order to allow ample time to pursue any additional discovery if desired. If Mr. Walkup fails to provide a brief

synopsis of each witnesses' anticipated testimony as ordered, Mr. Young may renew his Motion in Limine to exclude testimony of Mr. Walkup's witnesses.

The seventh motion was a Motion for Continuance filed by Mr. Young on behalf of the Plaintiffs. Mr. Young stated that because of all of the outstanding issues he submitted that a continuance was in order. The Court agreed and granted the continuance for the trial on the merits per the schedule outlined in this order.

The Court then made the following findings:

1. That discovery is to be completed within 45 days from the date of this Order;
2. That mediation shall be completed within 30 days after completion date for discovery. All parties are to be present at the mediation.
3. That if the mediation is unsuccessful, a trial on the merits shall be scheduled to occur within 60 days following mediation;
4. That Mr. Young provide Mr. Walkup with a hard copy of the discovery materials received from Mr. Inabnit. Mr. Walkup shall be responsible for retrieving discovery materials from Mr. Young's office;
5. That Cascade/Green Tree provide Mr. Walkup with the requested materials described hereinabove with any expenses related to the retrieval of these materials to be paid by Mr. Walkup. Failure to comply with a subpoena for said materials will be subject to the contempt powers of the Court.
6. Mr. Walkup must amend his discovery responses to provide a brief synopsis of each witnesses' anticipated testimony within ten (10) days of the date of this order.

7. The inspection requested by Mr. Walkup shall be scheduled within fourteen (14) days due to the discovery deadline. The date and time for the inspection must be acknowledged by all parties to prevent delay or miscommunication.

8. Mr. Walkup's Motion to Amend his complaint is denied. He may renew his motion regarding any newly discovered facts but said motion must be properly submitted according to the South Carolina Rules of Civil Procedure and should contain a copy of the Amended Complaint.

9. The Motion for Continuance is granted and the parties shall proceed according to the schedule ordered herein.

**IT IS SO ORDERED**

\_\_\_\_\_  
Alan D. Clemmons  
Master in Equity for Horry County

Dated: \_\_\_\_\_, 2023  
Conway, South Carolina

ELECTRONICALLY FILED - 2023 Dec 06 3:44 PM - HORRY - COMMON PLEAS - CASE#2020CP2605135



Horry Common Pleas

**Case Caption:** Greg Lilly , plaintiff, et al VS Steven S Walkup

**Case Number:** 2020CP2605135

**Type:** Master/Order/Other

So Ordered

s/Alan D. Clemmons 3088 Master in Equity