

Hopkins, Debbie

From: Laura Jordan <ljordan@gwblawfirm.com>
Sent: Monday, September 09, 2013 10:16 AM
To: Hopkins, Debbie
Cc: 'Graham Newman' (gln@harpootlianlaw.com); tw@tobywardlaw.com; John T. Lay; Dick Harpootlian (rah@harpootlianlaw.com)
Subject: Case No. 2013-000273 (Kirven v. Central States, et al): Oral Argument Scheduled for October 15
Attachments: Form 4 w filed 3rd Amended SO.PDF

Debbie,

Thank you for your assistance this morning. As I mentioned during our telephone conversation, our office has discovered a regrettable (and previously unidentified) scheduling conflict with the October 15, 2013 oral argument setting for *Diane Kirven v. Central States Health and Life Company, et al.*, Case No. 2013-000273. John T. Lay, the attorney of record who will argue for the Defendants, is scheduled to begin a date-certain trial in Williamsburg County on October 14. (Please see the attached scheduling order). Due to an unfortunate, internal calendaring error, the conflict was not identified when our office corresponded initially with the Supreme Court regarding possible oral argument dates. Mr. Lay is the only attorney of record qualified to argue for Defendants as I have not yet obtained Rule 403 certification.

We respectfully request that the *Kirven* matter be moved to the next term of Court. Please accept our sincere apologies for this error.

Very truly yours,

Laura Jordan



Gallivan, White & Boyd, P.A.
ATTORNEYS AT LAW

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SEP - 9 2013

S.C. Supreme Court

JUN 08 2013
69441-1

STATE OF SOUTH CAROLINA
COUNTY OF WILLIAMSBURG
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NO: 2010CP4500483

Wilbur Derrick Ivey Sr vs. Husqvarna U S Holding Inc

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), SCRCP; Rule 41(a),
 - SCRCP (Vol. Nonsuit); Rule 43(k), SCRCP (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):**
 - Rule 40(j) SCRCP; Bankruptcy;
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 - Other: _____
- 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; Statement of Judgment by the Court:

Dated at Kingstree, South Carolina, this 4th day of June, 2013.

Court Reporter:

PRESIDING JUDGE -

This judgment was entered on the 4th day of June, 2013, and a copy mailed first class this 4th day of June, 2013, to attorneys of record or to parties (when appearing pro se) as follows:

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295560088
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SC 29211
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ATTORNEY(S) FOR THE PLAINTIFF(S)

SC 29201
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Ryan C. Holt PO Box 12129 Columbia, SC 29211

ATTORNEY(S) FOR THE DEFENDANT(S)

Sharon W. Stagers

Sharon W. Stagers - Clerk of Court

STATE OF SOUTH CAROLINA
COUNTY OF WILLIAMSBURG

THE COURT OF COMMON PLEAS
FOR THE THIRD JUDICIAL CIRCUIT

Wilbur Derrick Ivey, Sr.,

Civil Action No.: 2010-CP-45-0483

Plaintiff,

v.

THIRD AMENDED
SCHEDULING ORDER

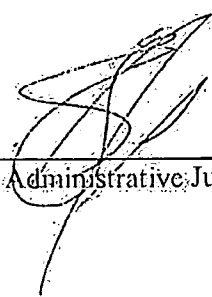
Kohler Co.,

Defendants

On motion and consent of the undersigned parties, by and through their counsel, IT IS ORDERED that the Second Amended Consent Scheduling Order entered with respect to this case be amended as follows:

The case is set for a date certain trial beginning on October 14, 2013.

AND IT IS SO ORDERED.



Chief Administrative Judge, Third Judicial Circuit

Date: 6/2/13

A CERTIFIED TRUE COPY
Sharon W. Stiggers
SHARON W. STAGGERS
CLERK OF COURT
WILLIAMSBURG COUNTY