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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Judicial Circuit

The Honorable Mikell R. Scarborough, Master-in-Equity

Appellate Case No. 2023-000773

Dustin Grotzke, Christine Grotzke, Leo Cornejo, Steve Falciani, Nancy Falciani, Robert St. Louis, Lindsay Layton, Roger Woolf, Roberta Woolf, Nancy Zaj, Meg White, Joey Winchester, Kelly Hill, Mary Thaler, Ed Thaler, Lisa Essig, Brianna Stello, Jennifer Sellars, Dominique Powell, Jennifer Mayo and James Hardy Respondents,

v.

Mariner's Cay Racquet & Yacht Club Homeowners' Association, Inc.Appellant.

**APPELLANT AND RESPONDENTS' MOTION TO DISMISS AND REMAND
PURSUANT TO SCAR RULE 261**

COMES NOW the Appellant and Respondents who jointly move the Court of Appeals for a Motion to Dismiss the Appeal and to remand to State Court pursuant to SCAR Rule 261 in order to effectuate a settlement of the case as outlined in Exhibit 1. The parties recently held a mediation on May 17, 2024 and the parties resolved the appeal and any and all claims in accordance with the terms set forth in Exhibit 1. Pursuant to the Settlement Agreement, the parties jointly request the Court of Appeals to dismiss the appeal in order to remand the matter back to State Court so that the State Court may effectuate the terms of the settlement as set forth in Exhibit 1. Moreover, the parties agree that each party shall bear their own costs.

WE SO MOVE:

Phillip S. Ferderigos, Esq. (S.C. #16709)
John W. Fletcher, Esq. (S.C. #69550)
BARNWELL WHALEY PATTERSON &
HELMS, LLC
211 King Street, Suite 300
Charleston, SC 29401
Phone: (843) 577-7700 Fax: (843) 577-7708

pferderigos@barnwell-whaley.com

jfletcher@barnwell-whaley.com

Robert H. Jordan, Esq.
PARKER POE ADAMS & BERNSTEIN,
LLC

850 Morrison Drive

Suite 400, Charleston, SC 29403

Phone: (843) 727-2650

robertjordan@parkerpoe.com

***Counsel for Appellant Mariner's Cay
Racquet & Yacht Club Homeowners'
Association, Inc.***

WE CONSENT:

Sean A. O'Connor, Esq.

Clarkson McAlonis & O'Connor, PC

3300 West Montague Ave., Suite 211

N. Charleston, SC 29418

843-885-8005

soconnor@cmolawpc.com

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v.

Mariner's Cay Racquet & Yacht Club Homeowners' Association, Inc.Appellant.

**ORDER GRANTING APPELLANT AND RESPONDENTS' JOINT MOTION
TO DISMISS AND REMAND PURSUANT TO SCAR RULE 261**

On joint motion of Appellant and Respondents, the parties jointly move the Court of Appeals for a Motion to Dismiss the Appeal and to remand to State Court pursuant to SCAR Rule 261 in order to effectuate a settlement of the case as outlined in Exhibit 1 to their joint motion. The parties recently held a mediation on May 17, 2024 and the parties resolved the appeal and any and all claims in accordance with the terms set forth in Exhibit 1. Pursuant to the Settlement Agreement, the parties jointly request the Court of Appeals to dismiss the appeal in order to remand the matter back to State Court so that the State Court may effectuate the terms of the settlement as set forth in Exhibit 1. Moreover, the parties agree that each party shall bear their own costs and no costs will be assessed under Rule 222, SCACR. Accordingly, oral argument of the appeal is no longer necessary and the remittitur will be sent as provided by Rule 221(b) of the SCACR.

The Court of Appeals hereby grants the Joint Motion to Dismiss the Appeal and to remand to State Court pursuant to SCAR Rule 261, and the appeal is hereby dismissed.

FOR THE COURT

BY _____
CLERK

WE SO MOVE:

Phillip S. Ferderigos, Esq. (S.C. #16709)
John W. Fletcher, Esq. (S.C. #69550)
BARNWELL WHALEY PATTERSON &
HELMS, LLC
211 King Street, Suite 300
Charleston, SC 29401
Phone: (843) 577-7700 Fax: (843) 577-7708
pferderigos@barnwell-whaley.com
jfletcher@barnwell-whaley.com

Robert H. Jordan, Esq.
PARKER POE ADAMS & BERNSTEIN,
LLC
850 Morrison Drive
Suite 400, Charleston, SC 29403
Phone: (843) 727-2650
robertjordan@parkerpoe.com

***Counsel for Appellant Mariner's Cay
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Sean A. O'Connor, Esq.
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N. Charleston, SC 29418
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