

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM BEAUFORT COUNTY
COURT OF COMMON PLEAS

69938

Carmen Mullen
Circuit Court Judge
Case No. 2010-CP-07-05944

Appellate Case No. 2013-001529

Richard K. Davenport and Mary E. Davenport,..... Appellants,

v.

Dataw Island Owners' Association, Inc., nominal Defendant;
Dataw Island Club, Inc.; Bruce "Skip" Adams; George Beck;
Victor Brinkman; Colin Collins; Earl Dietz; Merwin "Mer"
Grayson; Dan Hopkins; Herb Jarvis; John Mahoney; Colin
McArthur; Peter Payne; John Payne; Bob Sanderson; Lee
Scher; Gerald Smith, in his capacity as successor and Trustee of
Deirdre Smith's Estate; Bob Spengler; Phil Sutphin; Ray Hoge;
Pam Weigand; Jim Smithson; Peter Post; Roger Rittinger;
Gabriel Nagy; Bob Albon; Larry Bernard; Harriette Buchanan;
Gary Davis; Keith Dixon; Dan Frakes; Jack Hamilton; Jerry
Hubbard; Gwen Jordan; Larry Lance; Terry Lurtz; Jim Marks;
Jim McCornock; Bob Pogachnick; Bob Tisch; Tom Fischer;
Rick Manzari; Susan Beekman; Timothy McGrath; Joe Foutch;
Thomas White; Herman Schmit; D. Pierre Cameron, Jr.; and
William Bush,

Respondents.

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SEP 30 2013
SC Court of Appeals

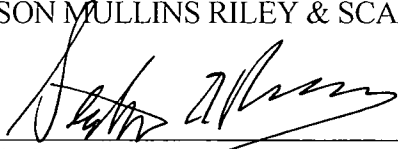
CONSENT MOTION FOR STAY OF APPEAL

Appellants Richard K. Davenport and Mary E. Davenport ("Appellants"), with the consent of Respondents, request an Order staying this appeal pending the outcome of the parties' efforts to resolve this dispute. The parties have reached an agreement in principle to settle the dispute, but need additional time to finalize the terms of a written settlement agreement. The initial brief and designations are currently due October 3, 2013. Appellants therefore request a

stay of all deadlines, including the deadline for filing the initial brief, until the written settlement agreement is executed and this appeal may be dismissed.

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Attorneys for Appellants

September 30, 2013
Columbia, South Carolina

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Bernard; Harriette Buchanan; Gary Davis; Keith Dixon;
Dan Frakes; Jack Hamilton; Jerry Hubbard; Gwen
Jordan; Larry Lance; Terry Lurtz; Jim Marks; Jim
McCornock; Bob Pogachnick; Bob Tisch; Tom Fischer;
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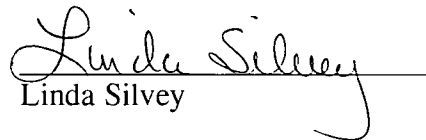
CERTIFICATE OF SERVICE

I, the undersigned, of the law offices of Nelson Mullins Riley & Scarborough, LLP, attorneys for Appellants, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: Consent Motion For Stay Of Appeal

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September 30, 2013

Via Hand Delivery

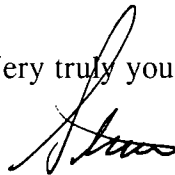
Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: Richard K. Davenport, et al. v. Dataw Island Club, Inc., et al.
Appellate Case No.: 2013-001529
Our File No. 30046/01500

Dear Ms. Kitchings:

Please find enclosed an original and six (6) copies of Consent Motion for Stay of Appeal in the above-referenced matter, along with a certificate of service relating to the same. We have also enclosed a check in the amount of \$25.00 for the filing fee. If there are any questions, please do not hesitate to contact our office.

Very truly yours,



Stephen G. Morrison

SGM:kw5:ljs
Enclosures

cc: James H. Elliott, Jr., Esquire
Todd M. Musheff, Esquire
M. Dawes Cooke, Jr., Esquire
John W. Fletcher, Esquire (all via regular mail)