



Law Offices of

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October 3, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

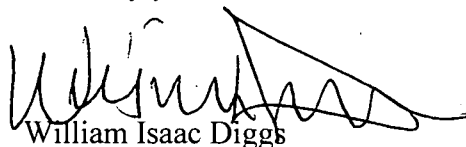
Re: Carey Graham and Rodney A. Chardukian v. Malcolm M. Babb et al  
Case No.: 2004-CP-26-3498

Carey Graham and Rodney A. Chardukian vs. Stephen Eric Robinson  
Case No.: 2011-CP-26-4556.

Dear Ms. Kitchings:

There are two appeals presently pending in this Court from orders which have been entered in the above two cases. This is to advise the Court that all parties involved in these two actions have entered into a settlement agreement and they have obtained a court order which was entered by the Court ending these matters. For the Court's information, I have enclosed a copy of the order entered October 2, 2013, by Special Referee / Special Master, Ralph Stroman. This order approves the settlement agreement which has been reduced to writing by the parties. Therefore, we are asking that the Court dismiss both of these appeals. If you have any questions, please let me know. With kind regards, I am

Sincerely yours,



William Isaac Diggs

WID

Enclosure: as stated

Cc: Frank Durant  
Brenda R. Babb  
Stephen Eric Robinson

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SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF Horry )

IN THE COURT OF COMMON PLEAS  
CIVIL ACTION NO.: 2004-CP-26-3498

CAREY GRAHAM AND )  
RODNEY A. CHARDUKIAN, )  
 )  
PLAINTIFFS, )

VS. )

ORDER APPROVING SETTLEMENT

MALCOLM M. BABB, BRENDA )  
R. BABB, CABLE PLUS OF )  
CAROLINA, INC., SOUTH BAY )  
LAKES CABLE PARTNERSHIP, )  
SOUTHBRIDGE CABLE )  
TELEVISION, LLC, AND )  
RENAISSANCE ENTERPRISES, )  
INC., NOW KNOWN AS CONDO )  
SERVICES, INC., )  
 )  
DEFENDANTS. )

FILED  
HORRY COUNTY  
2013 OCT -2 PM 12:34  
MELANIE HUGGINS-WARD  
CLERK OF COURT

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OCT 07 2013

SC Court of Appeals

Dating of Hearing: September 20, 2013  
Appearances:  
Frank H. DuRant, Esq. for the Plaintiffs  
William I. Diggs, Esq. for REI  
Brenda R. Babb, Pro-se

This matter came before me pursuant to several Orders and a Rule to Show Cause based upon several ex parte Orders issued by the Court concerning the freezing of bank accounts of the Defendant Malcolm M. Babb. Mr. Babb was served with the Orders, as is evidenced by the affidavits of substituted service upon Brenda R. Babb, his wife, at their home in Carolina Shores, NC.

The Plaintiffs, in a derivative capacity, obtained a judgment in the amount of \$970,000.00 in May of 2011, which is currently under appeal to the South Carolina Supreme Court. At the inception of the hearing, the parties informed the Court that they

had settled their differences and desired the Court to continue the hearing until a formal settlement agreement could be executed and submitted for approval by the Court. The Defendants informed the Court that they desired the restraining Orders to be dissolved once the settlement was consummated. As the requests to continue the matter came at the request of the Defendants, I will treat such request as satisfactory consent to continue the restraining Orders issued, with the permission of the Defendants from the date of the scheduled hearing until the formal agreement has been signed by the parties. The Plaintiffs shall incur no liability as the result of the Defendants' requests and the bond posted with the Clerk of Court in the amount of \$1,000.00 shall be immediately repaid to Frank H. DuRant, attorney for the Plaintiff.

I have examined the proposed Settlement Agreement and I find that the agreement is reasonable and fair to all parties, and is in the best interests of the Defendants Cable Plus of South Carolina, Inc., Southbridge Cable Television, LLC and South Bay Lakes Cable Partnership. It is

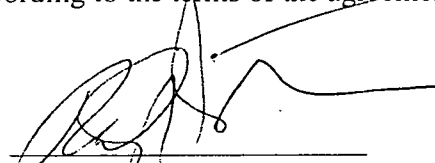
ORDERED that the restraining Order(s) issued as to Malcolm M. Babb and his banking accounts and to Brenda R. Babb and Renaissance Enterprises, Inc. and their banking accounts shall be dissolved, based upon the agreement of the parties. It is furthermore

ORDERED that the Settlement Agreement is hereby approved and adopted as the Order of the Court, and each party shall be entitled to enforce any provision of such agreement and the Court shall retain jurisdiction for such purposes and to issue any further and additional Orders as are necessary in this matter. The settlement agreement shall remain confidential unless and until there is a default in its terms by the parties. The

Plaintiffs' judgment shall remain in full force and effect against the Defendants Brenda R. Babb and Renaissance Enterprise, Inc., but shall be subject to the terms of such settlement agreement. It is furthermore

ORDERED that this action shall be dismissed, when the executory portions of the Settlement Agreement have been complied with according to the terms of the agreement.

And it is so ordered!



RALPH STROMAN  
Special Master

Conway, South Carolina  
October 2, 2013

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CAREY GRAHAM AND RODNEY A. CHARDUKIAN

MALCOLM M BABB, BRENDA R. BABB ET AL

SC Court of Appeals

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: FRANK H DURANT, ESQ.

Attorney for :  Plaintiff  Defendant  
 or  
 Self-Represented Litigant

**DISPOSITION TYPE (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.  See Page 2 for additional information.
- 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

MELANIE J. JENNINGS, CLERK OF COURT  
 2013 OCT 1 - 2 PM 12:33  
 HORRY COUNTY FILED

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 (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

This order  ends  does not end the case.

Additional Information for the Clerk :

THE PARTIES HAVE ENTERED INTO A CONFIDENTIAL SETTLEMENT, WHICH HAS BEEN APPROVED BY THE COURT. THE JUDGMENT OF THE PLAINTIFFS AGAINST THE DEFENDANTS BRENDA R. BABB AND RENAISSANCE ENTERPRISES, INC. SHALL REMAIN AND SHALL BE DISMISSED BY FURTHER ORDER OF THE COURT, WHEN ALL TERMS HAVE BEEN COMPLIED WITH. THE RESTRAINING ORDERS AGAINST THE DEFENDANTS BABB AND RENAISSANCE HAVE BEEN LIFTED AND DISCHARGED.

**INFORMATION FOR THE JUDGMENT INDEX**

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

*R.R. Williams*  
Circuit Court Judge  
Special Master

Judge Code

OCTOBER 2, 2013  
Date

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of OCTOBER, 2012 and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

FRANK H DURANT, PO BOX 960, MYRTLE BEACH, SC 29578

WILLIAM I. DIGGS, ESQ., 1700 OAK STREET, SUITE D, MYRTLE BEACH, SC 29578

BRENDA R. BABB AND MALCOLM M BABB, PO BOX 4800, CALABASH, NC 28467

\_\_\_\_\_  
ATTORNEY(S) FOR THE PLAINTIFF(S)

\_\_\_\_\_  
ATTORNEY(S) FOR THE DEFENDANT(S)

\_\_\_\_\_  
CLERK OF COURT

**Court Reporter:**

**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

JUDGMENT TO REMAIN IN EFFECT UNLESS AND UNTIL ALL PROVISIONS OF THE CONFIDENTIAL SETTLEMENT

AGREEMENT HAVE BEEN COMPLIED WITH. THE COURT SHALL RETAIN JURISDICTION TO ENFORCE ANY PROVISION

OF SUCH AGREEMENT.

FILED  
HARRIS COUNTY  
OCT - 2 PM 12:33  
S. HIGGINS-MARRO  
CLERK OF COURT