

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

RECEIVED  
KOS/CP/11/11  
OCT 11 2013  
052695-000001

JUDGMENT IN A CIVIL CASE  
CASE NUMBER: 2010CP4006486

Kevin Schumacher

Lance Hoover

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: \_\_\_\_\_

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.
- 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 (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: \_\_\_\_\_

INFORMATION FOR THE PUBLIC 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
		\$
		\$
		\$

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.

Circuit Court Judge \_\_\_\_\_

Judge Code \_\_\_\_\_

Date \_\_\_\_\_

For Clerk of Court Office Use Only

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this 8 October 2013 to attorneys of record or to parties (when appearing pro se) as follows:

Kirby Darr Shealy III

Elizabeth Ann Blackwell

James Edward Bradley

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter \_\_\_\_\_

Clerk of Court

*Jeanette W. McBride*

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )  
  
Kevin Schumacher, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Lance Hoover, )  
 )  
Defendant. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS

C/A No. 2010-CP-40-06486

**ORDER DENYING PLAINTIFF'S  
MOTION FOR JNOV AND  
PLAINTIFF'S RULE 59 MOTION**

RICHLAND COUNTY  
FILED  
2013 OCT -8 AM 11:44  
KIMMETTE W. McBRIDE  
C.C.P. & G.S.

This matter was tried before the Court on January 3, 4, and 5, 2012. The jury ruled in favor of the Defendant on the Plaintiff's claims and on the Defendant's counterclaims.

After the verdict, the Court heard the parties' arguments regarding the proper form for the award as well as the Court's decisions regarding fees, costs, and damages.

The Court issued an order signed May 22, 2012, and filed May 23, 2012, awarding the Defendant attorney's fees, costs, and damages on his counterclaims.

On approximately May 29, 2012, the Plaintiff moved for an order amending the judgment "on the grounds that the Court's order did not address Plaintiff's motion for judgment notwithstanding the verdict filed on January 17, 2012."

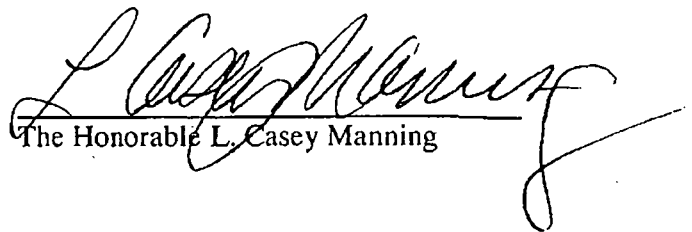
The Plaintiff later appealed this Court's order to the South Carolina Court of Appeals.

The matter is now pending before the Court of Appeals. The Court of Appeals requested by Order filed September 26, 2013, that this Court rule upon the Rule 59 motion.

With this in mind, for the reasons previously stated in open court and in the Court's Order of May 22, 2012, the Court denies the Plaintiff's motion for judgment notwithstanding the verdict and denies the Plaintiff's Rule 59 Motion regarding that same subject matter. The jury

received ample evidence in this matter, the decision was properly put to the jury, and the jury ruled in favor of the Defendant Lance Hoover. For this reason, the Plaintiff's motion for judgment notwithstanding the verdict and the Plaintiff's Rule 59 motion are denied.

AND IT IS SO ORDERED.

  
The Honorable L. Casey Manning

Columbia, South Carolina

October 4, 2013