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Jun 10 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh

Supreme Court Case No. 2024-001980

Circuit Court Case No. 2019-CP-07-01246
Court of Appeals Case No. 2021-000375

Greg Marcus Simmons and Jermaine Robinson, both individually and derivatively on behalf of Simmons Family Holdings, LLC, a South Carolina Limited Liability Company,

Respondents,

v.

Palmer E. Simmons, individually and as Trustee of the Charles E. Simmons, Jr. and Rosa G. Simmons Revocable Trust dated May 5, 2016, and Charlesetta S. Aiken,

Petitioners,

And Simmons Family Holdings, LLC,

as a nominal Defendant.

JOINT MOTION FOR A SIXTY (60) DAY STAY

Pursuant to Rule 263, SCACR, Petitioners and Respondents hereby jointly move this Court for a sixty (60) day stay of this appeal, during which time the filing deadlines for briefing would be held in abeyance. The parties desire to attempt to mediate this action prior to submitting briefs to the Court, and the stay is requested to facilitate that effort.

Considering the number of parties and attorneys involved, coupled with the complexities of summer vacation schedules and the availability of potential mediators,

the undersigned counsel in good faith believe that a 60-day stay is appropriate and will afford sufficient time in which to undertake the steps necessary to determine whether this action can be settled.

Pursuant to Rule 242, SCACR, the current deadline for Petitioners to serve and file their opening Brief is June 12, 2025; Respondents' Brief is due on July 14, 2025; and Petitioners' Reply is due on July 24, 2025. The parties request that these filing deadlines would be held in abeyance as set forth below.

The proposed 60-day stay would expire on or about August 11, 2025. The parties shall notify this Court on or before that date as to whether the matter is resolved or not. In the event that mediation is not successful, the parties propose that Petitioners' opening Brief shall be due twenty (20) days after such notice to the Court.

This joint, consent Motion for a Sixty (60) Day Stay is made respectfully, in good faith, and not for the purpose of delay.

Respectfully submitted,

FORD WALLACE THOMSON LLC

s/ Ainsley F. Tillman
Ainsley F. Tillman, S.C. Bar No. 70551
Ainsley.Tillman@FordWallace.com
Ian S. Ford, S.C. Bar No. 12463
Ian.Ford@FordWallace.com
715 King Street
Charleston, SC 29403
(843) 277-2011

-and-

Vaux Marscher Berglind P.A.

THURMOND KIRCHNER & TIMBES, P.A.

s/ Michael A. Timbes
Michael A. Timbes (SC Bar No. 69730)
15 Middle Atlantic Wharf
Charleston, South Carolina 29401
Phone: 843-937-8000
Fax: 843-937-4200
Email: michael@tktlawyers.com
Counsel for Respondents

-and-

MINOR, HAIGHT & ARUNDELL, P.C.

Mark S. Berglind, S.C. Bar No. 74839
Post Office Box 769
Bluffton, SC 29910

Attorneys for Petitioners

Ehrick K Haight, Jr., SC Bar No. 2446
Post Office Drawer 6067
Hilton Head Island, SC 29938
Phone: 843-785-8040

Additional Counsel for Respondents

June 9, 2025
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh

Court of Appeals Case No. 2021-000375
Opinion No. 2024-UP-194

Greg Marcus Simmons and Jermaine Robinson, both individually and derivatively on behalf of Simmons Family Holdings, LLC, a South Carolina Limited Liability Company,
Respondents,

v.

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Petitioners,

and

Simmons Family Holdings, LLC,

as a nominal Defendant.

PROOF OF SERVICE

I certify that I have served the *Joint Motion for a Sixty (60) Day Stay* on counsel for the Respondents, on June 10, 2025, at their email addresses of record with the AIS:

rick@mhalawfirm.com

stacey@mhalawfirm.com

michael@tktlawyers.com

s/ Ainsley F. Tillman
715 King Street
Charleston, SC 29401
(843) 266-1289
Attorney for Petitioners