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**Sep 02 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

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Appellate Case No. 2024-000144  
Case No. 2021-CP-26-07489

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City of North Myrtle Beach,

Appellant,

v.

Sun TRS Ocean Club, LLC,  
Sun TRS Carolina Pines,  
LLC, and Sun Carolina Pines  
RV, LLC,

Respondents.

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**CONSENT MOTION TO CONTINUE ORAL ARGUMENT**

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Richard H. Willis (SC Bar No. 6159)  
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*Attorneys for Respondents*

Pursuant to Rules 216 and 240 of the South Carolina Appellate Court Rules (SCACR), and for the reasons detailed below, Sun TRS Ocean Club, LLC, Sun TRS Carolina Pines, LLC, and Sun Carolina Pines RV, LLC (collectively, “Respondents”) and City of North Myrtle Beach (“Appellant” and, collectively with the Respondents, the “Parties”), respectfully move to continue the oral argument in the above-captioned appeal, which is currently scheduled for September 10, 2025. This continuance is sought to allow the Parties sufficient time to finalize a settlement of this Appeal and the underlying litigation.

The Parties have been engaged in ongoing negotiations for several months to resolve the dispute that is the subject of this Appeal. On August 19, 2025, the Parties agreed in principle to all the materials terms of a settlement that would result in the dismissal of this Appeal and a resolution of the underlying litigation. However, more time is necessary to finalize the written agreements and consent orders that will memorialize the Parties’ agreement and resolve the case. Accordingly, the Parties respectfully request that the Court continue the oral argument from September 10, 2025 until the next available term of Court to allow the Parties sufficient time to finalize the settlement agreement in writing and submit a stipulation of dismissal as to this Appeal.

For the reasons outlined above, the Parties respectfully move to continue oral argument from September 10, 2025 until the next available term of Court, in order to afford the Parties sufficient time to fully and finally resolve their dispute.

*[Signatures on following page]*

Respectfully submitted,

**WE SO MOVE AND CONSENT:**

s/John G. Tamasitis  
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**WE SO MOVE AND CONSENT:**

s/Rhett D. Ricard  
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*Attorneys for Appellant*

September 2, 2025  
Columbia, SC

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LLC, and Sun Carolina Pines  
RV, LLC,

Respondents.

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**PROOF OF SERVICE**

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The undersigned certifies that on the date indicated below, Respondents' Consent Motion to Continue Oral Argument was served on counsel for Appellant via email, a copy of the email is attached hereto as **Exhibit A**, at the following address:

Cheryl D. Shoun (SC Bar No. 5092)  
Rhett D. Ricard (SC Bar No. 102353)  
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By: s/John G. Tamasitis  
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(T): 803-567-4600  
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***Counsel for Respondents***

September 2, 2025  
Columbia, South Carolina

# **Exhibit A**

## Tyer, Sara

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**From:** Tyer, Sara  
**Sent:** Tuesday, September 2, 2025 9:04 AM  
**To:** Cheryl D. Shoun; Rhett D. Ricard; Laura O. Patat  
**Cc:** Willis, Richard; Tamasitis, John; Watson, Jennifer  
**Subject:** City of North Myrtle Beach v. Sun TRS Ocean Club LLC, et al. - Appellate No. 2024-000144  
**Attachments:** 2025-09-02 Consent Motion to Continue Oral Argument.pdf

Good morning –

Please find attached the Consent Motion to Continue Oral Argument in the *City of North Myrtle Beach v. Sun TRS Ocean Club, LLC, et al.*, Appellate No. 2024-000144.

Thank you,  
Sara



**Sara H. Tyer**  
*Senior Litigation Project Manager and Administrative Coordinator*  
T 803.567.4603  
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# WILLIAMS MULLEN

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September 2, 2025

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**SC Court of Appeals**

**VIA EMAIL/HAND DELIVERED**

South Carolina Court of Appeals  
ATTN: Clerk of Court's Office  
1220 Senate Street  
Columbia, SC 29201  
ctappfilings@sccourts.org

Re: City of North Myrtle Beach v. Sun TRS Ocean Club, LLC, et al.  
Appellate Case No.: 2024-000144

Dear Ms. Kitchings:

Please find enclosed Respondents' Consent Motion to Continue Oral Argument. A check for \$50 in payment of fees associated with the filing of this Motion will be hand delivered to the Court later today.

Please do not hesitate to contact me if you have any questions, comments, or concerns.

Sincerely,



John G. Tamasitis