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S.C. SUPREME COURT

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.

SECOND JOINT MOTION TO EXTEND STAY TO CARRY OUT SETTLEMENT

By Order dated June 11, 2025, this Court granted the parties' Joint Motion for a Sixty-Day Stay, pending a possible settlement of this matter. Pursuant to the Order, the matter was held in abeyance until August 11, 2025.

Thereafter, by an Order dated August 4, 2025, this Court granted the parties' Joint Motion to Extend Stay until October 9, 2025, while the parties continued their efforts to reach a settlement.

As a result of further mediation conducted on September 17, 2025, the parties have reached a settlement of this complex, multi-faceted matter, the terms of which require the preparation and execution of further instruments and agreements to put their agreement into effect. The parties' and their counsel are actively involved in that undertaking.

Pursuant to Rule 263, SCACR, Petitioners and Respondents hereby jointly move this Court to further extend the Stay until November 30, 2025, during which time the filing deadlines for briefing would continue to be held in abeyance. The grounds for this Motion are that the parties anticipate needing additional time to finalize and implement the various instruments and agreements required to put into effect the terms of their mediated settlement, after which the parties expect to jointly request the dismissal of both this appeal and the underlying action.

This joint, consent Second Motion to Extend the Stay is made respectfully, in good faith, and not for the purpose of delay.

Respectfully submitted,

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October 1, 2025
Charleston, South Carolina