

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO.: 2009-CP-26-3596

Ronald Jarmuth,)
Plaintiff,)

**ORDER DENYING PLAINTIFF'S
MOTION TO AMEND THE
COMPLAINT, ANSWER TO
COUNTER-CLAIM AND
PLAINTIFF'S COUNTER-CLAIM
DATED MARCH 20, 2012**

vs.)

The International Club Homeowners)
Association, Inc.,)
Rosemary Toth,)
And K.A. Diehl & Associates,)
Defendants.)

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT
CASE NO.: 2010-CP-26-11320

Ronald Jarmuth,)
Plaintiff,)

FILED
HORRY COUNTY
12 MAY 23 AM 11:30
MELANIE JOHNSON-WARD
CLERK OF COURT

vs.)

The International Club Homeowners)
Association, Inc.)
Defendant.)

THIS MATTER came before me on May 16, 2012 for a hearing on Plaintiff's Motion to Amend Complaint, Answer to Counter-Claim, and Plaintiff's Counter-Claim dated March 20, 2012. Appearing at the hearing were *pro se* Plaintiff, Ronald Jarmuth ("Plaintiff") and Alicia E. Thompson and Henrietta Golding counsels for the Defendants, International Club Homeowners' Association, Inc. ("Defendant HOA"), Rosemary Toth, and K.A. Diehl & Associates, Inc. (collectively hereinafter "Defendants").

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DEC 02 2013

Page 1 of 2
A. H. A.

SC COURT OF COMMON PLEAS

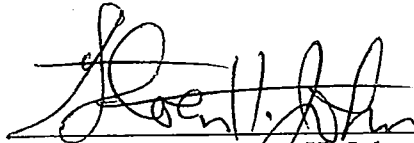
EXHIBIT D

The Plaintiff argued at the hearing that the Defendant HOA's March 16, 2012 deferral of his application to plant two palm trees is grounds to add causes of action against the Defendant HOA for breach of fiduciary duty, breach of the implied obligation of good faith and fair dealing, extortion, and violation of privacy rights and to add an additional party, Mr. Charles Roche, a member of Defendant HOA's Architectural Review Board. The Defendant HOA argued that the amendment adding an additional party will cause delay in the case and that the proposed causes of action are encompassed by the pleadings in the above captioned lawsuits.

Having considered the pleadings, Plaintiff's Motion, the exhibits submitted in conjunction with the Plaintiff's motions, and after listening to the arguments of the parties, I hereby order that the Plaintiff's Motion to Amend dated March 20, 2012 is DENIED. The basis for the denial includes the following: 1) the amendment will cause undue delay in the case; and 2) the matters set forth in the proposed 2nd Amended Complaint are encompassed by the pending actions.

IT IS SO ORDERED.

Dated: 5/22/12
Conway, South Carolina


The Honorable Steven H. John
Chief Administrative Judge,
Fifteenth Judicial Circuit

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Ralph P. Stroman, Special Referee

Case No.: 2009-CP-26-3596
Consolidated With
Case No.: 2010-CP-26-11320
Appellate No.: 2013-000714

Ronald Jarmuth, *Pro Se* Appellant,

v.

The International Club Homeowners
Association, Inc., Rosemary Toth, and
K.A. Diehl & Associates, Inc., Respondents.

AFFIDAVIT OF DONNA M. BRADY

PERSONALLY appeared before me, Donna M. Brady, who, being duly sworn, deposes
and states as follows:

1. I am an adult over 18 years of age and competent to testify.
2. The statements herein are true and accurate and I have personal knowledge of the information herein stated.
3. I am an employee of McNair Law Firm, P.A.
4. On November 12, 2013 I prepared a package containing a letter to the Clerk for the South Carolina Court of Appeals, Respondents' Petition for Rehearing and/or Motion to Supplement the Record along with Exhibits A-E, and Proof of Service to be delivered to the

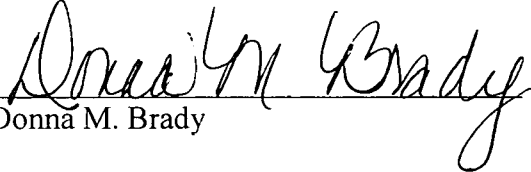
Clerk for the South Carolina Court of Appeals with a copy to be mailed to *Pro Se* Appellant Ronald Jarmuth.

5. When signing and dating the aforementioned Proof of Service, I inadvertently wrote the 8th of November, 2013 rather than the actual date.

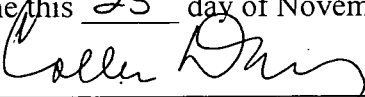
6. I did not intend to falsify or delay service, fraudulently claim delivery of a different date, or deceive any party affiliated with this matter. This was a mere clerical error and oversight on my part.

7. As accurately stated by Appellant in his Return, the letter to the Clerk, Respondents' Petition, and the imprinted postmark clearly indicate that the Petition was mailed on November 12, 2013.

FURTHER DEPONENT SAYETH NOT.


Donna M. Brady

SWORN to and subscribed before me this 25 day of November __, 2013


Notary Public for State of South Carolina
My Commission Expires: 12-28-2016