

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Hon. John C. Hayes, III
Presiding Circuit Court Judge

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DEC 23 2013

SC Court of Appeals

Appeal No. 2013-000327
Consolidated Case No. 2010-CP-46-2326

Juontonio Pinckney, et al.Appellants,

v.

Epcon Communities, Inc., Epcon Communities Franchising, Inc.,
Brock L. Fankhauser, Fankhauser Property Group, Inc.,
Stonecrest Villas of Tega Cay, LLC,
and

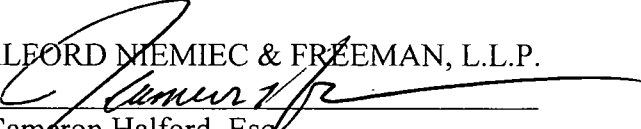
Stonecrest Villas of Tega Cay Owners'
Association, Inc.Respondent/Cross Appellant

APPELLANTS' MOTION TO HOLD IN ABEYANCE
ISSUES PENDING BETWEEN APPELLANTS AND RESPONDENT
STONECREST VILLAS OF TEGA CAY CONDOMINIUM OWNERS
ASSOCIATION, INC. ("COA")
AND MOTION TO ESTABLISH NEW DEADLINES

Appellants respectfully move the court to hold to hold in abeyance all matters pending between Appellants and Respondent Stonecrest Villas of Tega Cay Condominium Owners Association, Inc. for a period of sixty (60) days. This motion is filed pursuant to communications and requests by court staff attorneys. Appellant counsel has attempted to communicate with all other counsel but has not been successful in fully discussing the matters prior to filing the motion.

Respectfully submitted,

HALFORD NIEMIEC & FREEMAN, L.L.P.



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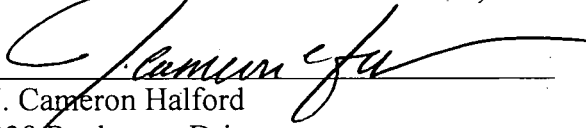
Attorneys for Appellants

MEMORANDUM

Counsel for Appellants has advised the court that a Mediated Settlement conference was conducted on October 22, 2013 wherein a settlement is now pending between Appellants and five (5) Respondent parties.¹ Counsel for Appellants has requested that the court hold in abeyance all matters pending between Appellants and the non-settling party Stonecrest Villas of Tega Cay Condominium Owners Association, Inc. for the purposes expressed to the court in counsel's letter dated December 18, 2013 to this court, not to exceed sixty (60) days.

Respectfully submitted,

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803-547-6618

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Attorneys for Appellants

¹ A mediated settlement conference was conducted October 22, 2013 as between twelve (12) Plaintiffs/Appellants and Defendants/Respondents Epcon Communities, Inc.; Epcon Communities Franchising, Inc.; Brock L. Fankhauser; Fankhauser Property Group, Inc.; and Stonecrest Villas of Tega Cay, LLC

Other Counsel of Record:

(Via U.S. mail and E-mail)

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Stonecrest Villas of Tega Cay, LLC,
and

Stonecrest Villas of Tega Cay Owners' Association, Inc.Respondent

PROOF OF SERVICE

I hereby certify that I am the attorney for the Plaintiffs/Appellants in the above captioned case number and that on December 18, 2013 serve a copy of the foregoing Motion to Hold In Abeyance and Establish Scheduling Order on all counsel by the means indicated below.

(Via E-mail)

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SEND TO: Elizabeth Carter South Carolina Court of Appeals	FROM: CAMERON HALFORD <input checked="" type="checkbox"/> MATTHEW R. NIEMIEC <input type="checkbox"/> P. JOHN FREEMAN <input type="checkbox"/>
Fax Number: 803-734-1496	Date: December 18, 2013
Attention: Elizabeth Carter	Total Pages: (21)
Regarding: Appeal No. 2013-000327	Phone Number:
CC: Graham Powell, Esq. (via email)	CC: Mike Wilkes, Esq. (via email)
CC: Curtis Dowling, Esq. (via email)	CC: Brett Dressler, Esq. (via email)
CC: Brad Cranshaw, Esq. (via email)	

Urgent Reply ASAP Please Comment For Review FYI

Please See Attached

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