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**RECEIVED**  
DEC 23 2013  
**SC Court of Appeals**

December 18, 2013

VIA FAX 803-734-1496

Elizabeth Carter  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: Appeal No. 2013-000327 (York County Consolidated Case No. 2010-CP-46-2326) Juontonio Pinckney, et al. 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 Condominium Owners Association, Inc.

Dear Mrs. Carter:

I am following up pursuant to our telephone call of yesterday December 17, 2013 wherein we discussed the current record(s) on appeal filed with the court, and what has transpired since the last filings with the Court of Appeals. During this call I informed you that a mediation occurred in this matter on October 22, 2013 and that a settlement is now pending as between the Plaintiffs/Appellants and five (5) of the Defendant/Respondents. The settling parties exclude Stonecrest Villas of Tega Cay Condominium Owners Association, Inc. ("COA").

It is taking some time to process the settlements. As part of the negotiated releases, the settling parties have discussed a limited remand of the case for the purpose of entering dismissals against the settling defendants. The language to this effect is found in paragraph (4), page (4) of the attached Exhibit A. The settling defendants include Epcon Communities, Inc.; Epcon Communities Franchising, Inc.; Brock L. Fankhauser; Fankhauser Property Group, Inc. and Stonecrest Villas of Tega Cay, LLC. I anticipate forwarding a consent order between these parties as settlements are finalized. We have not had the opportunity to discuss some of these matters with all counsel involved. I am attaching a copy of the release as an Exhibit to this letter.

^ ARBITRATOR & MEDIATOR

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Mrs. Elizabeth Carter  
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With regard to the remaining matters pending between Appellants and the Respondent Stonecrest Villas of Tega Cay Condominium Owners Association, Inc. ("COA") I would request to withdraw the motion filed by Appellants on September 24, 2013 as moot and am requesting that the court hold in abeyance all matters pending between the Plaintiffs and COA until I can discuss with opposing counsel the possibility of re-briefing and a much smaller Record on Appeal (or Supplemental Record on Appeal as the court directs). The issues will have narrowed subsequent to the settlements discussed above. However, as the court has been made aware the issues that remain are novel and complex wherein review by this court is warranted under a new briefing schedule, should this be agree to by counsel and/or permitted by the court.

Appellants' motion in this regard is attached along with the filing fee. Appellants are asking to hold in abeyance all issues with the COA pending resolution of the settlements, consent remand, and for no more than sixty (60) days. I understand and acknowledge the position of the court we discussed pertaining to placing matters on hold indefinitely, and sixty (60) days should provide reasonable time to accomplish the matters discussed above if approved by the court. Thank you in advance for the court's time and consideration.

Thank you for your attention to these matters.

With kind regards, I remain

Respectfully,

  
J. Cameron Halford

^ ARBITRATOR & MEDIATOR

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JCH:krw

Attachments/enclosures

cc: Graham Powell

cc: Mike Wilkes / J. Derham Cole

cc: Curtis Dowling

cc: Brett Dressler

cc: Brad Cranshaw

^ ARBITRATOR & MEDIATOR