

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2011-CP-26-447

Daniel Watier and Tammy
Watier,

Respondents,

v.

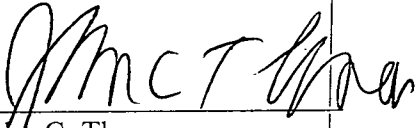
Squirrel Systems, Inc.,
Kenneth J. Jackson, and Peggy
S. Jackson

Appellants.

NOTICE OF APPEAL

Squirrel Systems, Inc., Kenneth J. Jackson and Peggy S. Jackson appeal the order of the Honorable Benjamin H. Culbertson dated November 13, 2013. Appellant received written notice of entry of this order on December 12, 2013.

January 13, 2014


John C. Thomas
107 Lewis Street
Conway, South Carolina 29526
(843) 248-6277
Attorney for Appellants

Other Counsel of Record:
Brent Greenberg
Post Office Box 2061
Mount Pleasant, South Carolina 29465
Attorney for Respondents
(843) 424-9817

Kenneth R. Moss
628A Sea Mountain Highway
North Myrtle Beach, SC 29582
Attorney for Appellant Kenneth J. Jackson
(843) 281-9901

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JAN 14 2014
SC Court of Appeals

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Benjamin H. Culbertson, Circuit Court Judge

Case No. 2011-CP-26-447

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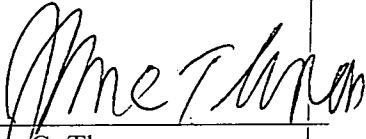
v.

Squirrel Systems, Inc.,
Kenneth J. Jackson, and Peggy
S. Jackson

Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Daniel Watier and Tammy Watier by depositing a copy of it in the United States Mail, postage prepaid, on January 13, 2013, addressed to their attorney of record, Brent Greenberg, Post Office Box 2061, Mount Pleasant, South Carolina 29465, on January 13, 2014.



John C. Thomas
107 Lewis Street
Conway, South Carolina 29526
(843) 248-6277
Attorney for Appellants

JOHN C. THOMAS, P.A.
ATTORNEY AT LAW

107 Lewis Street
Conway, South Carolina 29526
Telephone: (843)248-6277 Fax: (843)248-7446
E-mail: john@johnthomaspa.com

January 13, 2014

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211


RE: Daniel Watier and Tammy Watier v. Squirrel Systems, Inc., Kenneth J. Jackson, and Peggy S. Jackson, Case No. 2011-CP-26-447

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondents.
- (2) A copy of the order which is to be challenged on appeal.
- (3) A filing fee of \$100.

Sincerely,


s/ John C. Thomas
John C. Thomas
107 Lewis Street
Conway, South Carolina 29526
(843) 248-6277
Attorney for Appellants

cc: Brent Greenberg
Post Office Box 2061
Mount Pleasant, South Carolina 29465
(843) 424-9817
Attorney for Respondents

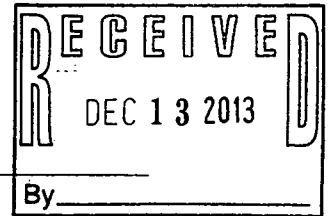
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SC Court of Appeals

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Kenneth R. Moss
628A Sea Mountain Highway
North Myrtle Beach, SC 29582
(843) 281-9901
Attorney for Appellant Kenneth R. Jackson



Daniel Watier, et al.
 PLAINTIFF(S)

Squirrel Systems, Inc., et al.
 DEFENDANT(S)

Submitted by: Benjamin H. Culbertson, Presiding Judge

Attorney for : Plaintiff Defendant
 or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 40(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other
 NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

FILED
 HORRY COUNTY
 13 NOV 13 PM 3:53
 MEANIE HUGGINS-WARD
 CLERK OF COURT

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Plaintiffs' Motion to Compel Settlement is GRANTED.
Defendants' Motion to Set Aside Settlement is DENIED.
 (See page 2).



JAN 14 2014

SC Court of Appeals

ORDER INFORMATION

This order ends does not end the case.
 Additional Information for the Clerk : Judgment is "joint and severable."

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Daniel Watier	Squirrel Systems, Inc.	\$25,000.00
Daniel Watier	Kenneth J. Jackson	\$25,000.00
Daniel Watier	Peggy Jackson	\$25,000.00
Tammy Watier	Squirrel Systems, Inc.	\$25,000.00
Tammy Watier	Kenneth J. Jackson	\$25,000.00
Tammy Watier	Peggy Jackson	\$25,000.00

If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Benjamin H. Culbertson

Benjamin H. Culbertson, Circuit Court Judge

2148

Judge Code

Nov. 6, 2013

Date

For Clerk of Court Office Use Only

This judgment was entered on the 13 day of Nov, 2013 and a copy mailed first class or placed in the appropriate attorney's box on this day of , 20 to attorneys of record or to parties (when appearing pro se) as follows:

Brent B. Greenberg

John C. Thomas

Kenneth Moss

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

M. Jelaine Huggins Ward
CLERK OF COURT

Court Reporter: Grace Hurley

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

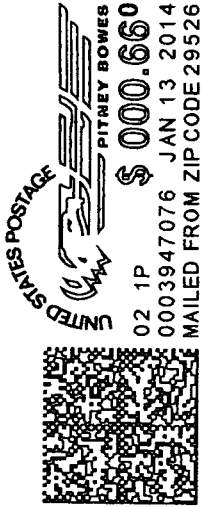
This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

The Defendants' Motion to Set Aside Settlement on the grounds that: 1) the defendants were coerced into the settlement; 2) the judge improperly participated in settlement negotiations; and 3) the settlement was never reduced to writing is DENIED. The court further finds that the parties entered into a settlement which was placed on the record pursuant to Rule 43(k), SCRPC. Therefore, the plaintiffs' Motion to Compel Settlement is GRANTED.

Under the terms of the settlement, the defendants were to pay the plaintiffs \$60,000.00 in 12 equal monthly installments of \$5,000.00 per month commencing 6/15/2013. No payments have been made. Therefore, the plaintiffs are granted judgment against the defendants for \$25,000.00, constituting the 5 monthly installments due for June, July, August, September and October, 2013.

Defendants must comply with all other terms of the settlement within 30 days.

John C. Thomas, P.A.
107 Lewis Street
Conway, SC 29526



The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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