



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
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V. CLAIRE ALLEN
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March 14, 2014

The Honorable Jerri Ann Roseneau
PO Box 1128
Beaufort SC 29901-1128

REMITTITUR

Re: Richard Davenport v. Dataw Island Owners' Association
Lower Court Case No. 2010CP0705944
Appellate Case No. 2013-001529

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Robert H. Brunson, Esquire
M. Dawes Cooke, Jr., Esquire
Todd M. Musheff, Esquire

John William Fletcher, Esquire
James H. Elliott, Jr., Esquire

The South Carolina Court of Appeals

Richard K. Davenport and Mary E. Davenport,
Appellants,

v.

Dataw Island Owners' Association, Inc., nominal
Defendant; Dataw Island Club, Inc.; BruceDataw Island
Club, Inc.; Bruce "Skip" Adams; George Beck; Victor
Brinkman; Colin Collins; Earl Dietz; Merwin "Mer"
Grayson; Dan Hopkins; Herb Jarvis; John Mahoney;
Colin McArthur; Peter Payne; John Payne; Bob
Sanderson; Lee Scher; Gerald Smith, in his capacity as
successor and Trustee of Deirdre Smith's Estate; Bob
Spengler; Phil Sutphin; Ray Hoge; Pam Weigand; Jim
Smithson; Peter Post; Roger Rittinger; Gabriel Nagy;
Bob Albon; Larry Bernard; Harriette Buchanan; Gary
Davis; Keith Dixon; Dan Frakes; Jack Hamilton; Jerry
Hubbard; Gwen Jordan; Larry Lance; Terry Lurtz; Jim
Marks; Jim McCornock; Bob Pogachnick; Bob Tisch;
Tom Fischer; Rick Manzari; Susan Beekman; Timothy
McGrath; Joe Foutch; Thomas White; Herman Schmit;
D. Pierre Cameron, Jr.; and William Bush, Respondents.

Appellate Case No. 2013-001529

ORDER

The parties have informed the Court that they have reached a settlement agreement. Accordingly, the appeal is dismissed and remanded to the circuit court for approval. If the circuit court does not approve the settlement, the Court will upon request reinstate the appeal. If the circuit court approves the settlement, the parties shall promptly notify this Court. The Court may send the remittitur upon approval of the settlement or 90 days from the date of this order unless good cause is shown why this case should not be remitted.

FOR THE COURT

BY

Joy A. Kiteley
CLERK

Columbia, South Carolina

cc:

Robert H. Brunson, Esquire

M. Dawes Cooke, Jr., Esquire

Todd M. Musheff, Esquire

John William Fletcher, Esquire

James H. Elliott, Jr., Esquire

FILED

11/25/13

WMM