

STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS

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JUN 04 2014

SC Court of Appeals

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Appeal from the Court of Common Pleas  
For Beaufort County  
Honorable Roger L. Couch, Circuit Judge  
Civil Action No.: 2008-CP-07-3018  
**Appellate Case No. 2013-002235**

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Dockside Incorporated of Port Royal, a/k/a Dockside  
of Port Royal, Inc., a South Carolina Corporation,

Respondent,

v.

The South Carolina State Ports Authority, an Agency  
and/or Political Subdivision of the State of South  
Carolina; Tommy Oliva and Teri Oliva,

Defendants,

Of Whom The South Carolina State Ports Authority,  
an Agency and/or Political Subdivision of the State of  
South Carolina is the

Appellant.

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**MOTION FOR ENTRY OF ORDER OF DISMISSAL**

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Stephen P. Groves, Esquire  
Cheryl D. Shoun, Esquire  
Wm. Chase McNair, Esquire  
*NEXSEN PRUET, LLC*  
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*Attorneys for the Appellant,  
The South Carolina State Ports Authority*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Appellant, The South Carolina State Ports Authority, an Agency and/or Political Subdivision of the State of South Carolina, pursuant to Rules 240 and 260(b) of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to issue an order dismissing this appeal based upon the parties' prior agreement to and subsequent consummation of settlement in this matter.

The basis for this motion is the parties hereto, by and through their respective counsel, have been able to negotiate and, in turn, consummate a reasonable settlement of all issues involved in this appeal. Consequently, the parties do not believe there is any need to proceed with this appeal as all matters have been resolved.

The undersigned certifies that he has discussed this matter with counsel for the Respondents and they agree that an Order of Dismissal should be entered and would consent to such entry. Furthermore, the parties have agreed that each side will be responsible for their respective appellate costs and attorneys' fees without need to resort to seeking an assessment of such appellate costs from this Court of Appeals.

Finally, the SCSPA respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this motion may be considered and ruled upon.

Respectfully submitted.

NEXSEN PRUET, LLC

By: \_\_\_\_\_

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*Attorneys for the Appellant,  
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Charleston, South Carolina

2 June 2014

NPCHAR1:1310792.1-APL-(SPG) 024000-00235

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**PROOF OF SERVICE FOR THE  
MOTION FOR ENTRY OF ORDER OF DISMISSAL**

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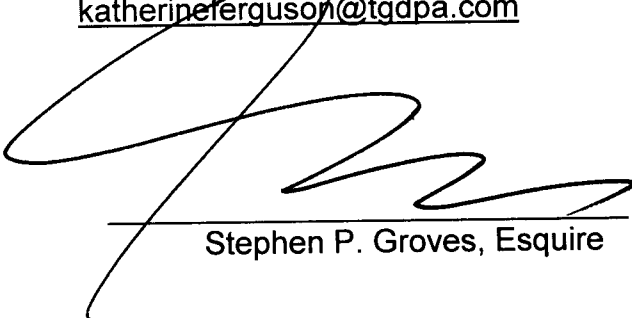
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*Attorneys for the Appellant,  
The South Carolina State Ports Authority*

I, Stephen P. Groves, Esquire, hereby certify that on 2 June 2014, I served a copy of the **Motion for Entry of Order of Dismissal** submitted by the Appellant, The South Carolina State Ports Authority, an Agency and/or Political Subdivision of the State of South Carolina, on counsel for the Respondent via United States Mail, postage pre-paid, and addressed, as well as, via e-mail as follows:

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Stephen P. Groves, Esquire

Charleston, South Carolina

2 June 2014

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