

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2008-CP-23-05739

73039
RECEIVED
JUL 30 2014
SC Court of Appeals

Andrew P. (Andy) Ballard, Respondent,

v.

Tim Roberson, Rick Thoennes, Rick Thoennes III,
and Warpath Development, Inc. Appellants.

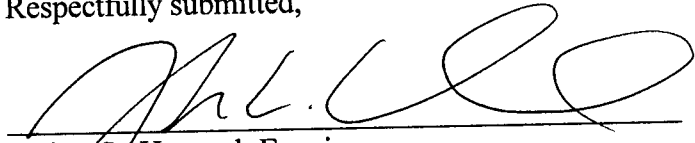
MOTION TO STAY

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the Appellants, Tim Roberson, Rick Thoennes, Rick Thoennes, III and Warpath Development, Inc. request that all pending and future deadlines be stayed in this appeal for 75 days to permit the parties' time to consummate an agreement in principle reached this week to globally resolve this matter. Due to the nature of the agreement, a period of due diligence is necessary before the agreement may become final. Appellants' counsel has consulted with Respondent's counsel who is in agreement with this motion.

With the requested stay, the pending August 1, 2014 deadline of Appellants to file and serve their Initial Reply Brief and future deadlines would be hereby stayed until October 14,

2014. If the parties are unable to complete settlement, the deadlines would then be reset to permit the appeal to continue. For the reasons set forth herein, Appellants hereby request that the Court issue an order staying the deadlines in this matter until October 14, 2014.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J.L. Howard', written over a horizontal line.

Joshua L. Howard, Esquire
HAYNSWORTH SINKLER BOYD, P.A.
ONE North Main Street
2nd Floor
P.O. Box 2048
Greenville, SC 29602
(864) 240-3202

July 29, 2014
Greenville, South Carolina

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2008-CP-23-05739

RECEIVED

JUL 30 2014

SC Court of Appeals

Andrew P. (Andy) Ballard, Respondent,


v.

Tim Roberson, Rick Thoennes, Rick Thoennes III,
and Warpath Development, Inc. Appellants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Appellants' Motion to Stay
was served upon all counsel of record on this the 29th day of July 2014, by U.S. Mail,
postage prepaid, to the following:

Wallace K. Lightsey, Esquire
WYCHE, PA
44 East Camperdown Way
Greenville, SC 29601


Janice Barry, Legal Secretary to Joshua L. Howard
Haynsworth Sinkler Boyd, P.A.
ONE North Main Street, 2nd Floor (29601)
P.O. Box 2048
Greenville, SC 29602
Phone: (864) 240-3223/Fax: (864) 240-3300

GREENVILLE

CHARLESTON

COLUMBIA

FLORENCE

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

ONE NORTH MAIN STREET, 2ND FLOOR (29601)
POST OFFICE BOX 2048 (29602-2048)
GREENVILLE, SOUTH CAROLINA
TELEPHONE 864.240.3200
FACSIMILE 864.240.3300
WEBSITE www.hsblawfirm.com

JOSHUAL L. HOWARD, ESQ.
DIRECT DIAL NUMBER 864.240.3202
EMAIL jhoward@hsblawfirm.com

July 29, 2014

VIA FEDERAL EXPRESS

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED

JUL 30 2014

SC Court of Appeals

Re: Andrew P. (Andy) Ballard v. Tim Roberson, Rick Thoennes, Rick Thoennes III, and
Warpath Development, Inc.; C.A. No.: 2008-CP-23-5739
Appellate Case No. 2013-002790

Dear Ms. Kitchings:

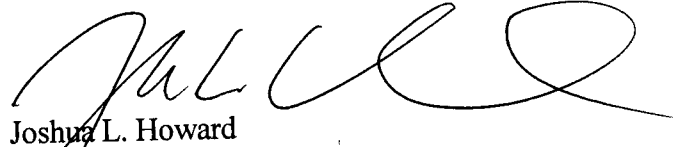
Please find enclosed the original and seven copies of Appellants' Motion to Stay, Certificate of Service showing service of the same on the Respondent, and a filing fee of \$25. We have enclosed an additional copy of the motion to be filed-stamped and returned to us in the enclosed self-addressed stamped envelope.

Please contact me if you have any questions. Thank you for your assistance in this matter.

With kind personal regards, I am

Very truly yours,

HAYNSWORTH SINKLER BOYD, P.A.



Joshua L. Howard

JLH:jmb
Enclosures

cc: Wallace K. Lightsey, Esquire