

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

173489

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

James O. Spence, Master-in-Equity

Case Number: 2010-CP-32-2038

Oliver Grady Query, and the Estate of Grady W. Query, by its Personal Representative,
Oliver Grady Query,Respondent/Appellant,

vs.

Ladislao Castrejon, Alberto Lozano and Jesus Brito,Defendants,
of whom Ladislao Castrejon is the Appellant/Respondent.

MOTION TO CONSOLIDATE APPEALS

Mark W. Evans
Mark Evans, S.C. Bar #6490
147 Wappoo Creek Drive, Ste. 201
Charleston, South Carolina 29412
Telephone: 843-762-6640
Attorney for Respondent/Appellant

Dated: *September 8, 2014*

RECEIVED

SEP 10 2014


SC Court of Appeals

This matter is a breach of contract action brought by Plaintiffs against the Defendants. After a non-jury trial, the trial judge found in favor of Defendant Castrejon. Plaintiffs appealed that ruling on May 19, 2014. Defendant Castrejon filed a cross-appeal as to other rulings of the trial judge, but the cross-appeal arrived first in the clerk's office for the Court of Appeals thereby making Defendant Castrejon the Appellant/Respondent.

Plaintiffs subsequent to trial requested a default judgment as to Defendant Brito. The trial judge denied this request finding that even though Mr. Brito was in default, no judgment could be rendered against him based on the fact that Plaintiffs alleged Defendants were jointly liable and he had already made a finding of no liability under the subject contract. Plaintiffs have filed a separate appeal of this order

Appellants here (Plaintiffs below) hereby request consolidation of these two appeals based on the fact they arise from the same set of facts and litigation. Consolidation would also be in the interests of judicial economy.

Respectfully submitted,



Mark Evans, S.C. Bar #6490
147 Wappoo Creek Drive, Ste. 201
Charleston, South Carolina 29412
Telephone: 843-762-6640
Attorney for Respondent/Appellant
In 2014-001041 & for Appellants herein

Dated: 09/08/14

STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

James O. Spence, Presiding Judge

Case Number: 2010-CP-32-2038

Oliver Grady Query, and the Estate of Grady W. Query, by its Personal Representative,
Oliver Grady Query,Respondent/Appellants,

vs.

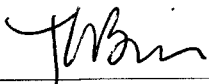
Ladislao Castrejon, Alberto Lozano and Jesus Brito,Defendants,
of whom Ladislao Castrejon is the Appellant/Respondent.

PROOF OF SERVICE

I hereby certify that on this 9 8-14, a true and correct copy of the
foregoing document was mailed, postage fully prepaid, via the United States Mail,
addressed as follows:

Allen Bullard, Esquire
Montgomery & Willard, LLC
P.O. Box 11886
Columbia, South Carolina 29211-1886

Jesus Brito
16 Forest Pkwy Bldg C 11-19
Forest Park, GA 30297



RECEIVED

SEP 10 2014

SC Court of Appeals



MARK V. EVANS
Attorney and Counsellor at Law

James Island Office
147 Wappoo Creek Drive
Wappoo Centre, Suite 202
Charleston, SC 29412
(843) 762-6640
(843) 762-1500 (fax)

Summerville Office
107 West 5th North Street
Post Office Box 821
Summerville, SC 29484
(843) 821-3000
(fax) (843) 821-2359

September 8, 2014

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

RE: Oliver Grady Query & The Estate of Grady W. Query, by its Personal
Representative, Oliver Grady Query v. Ladislao Castrejon, Alberto Lozano and
Jesus Brito
Case number: 2014-001041

Dear Ms. Kitchings:

Enclosed herewith for filing please find an original and six copies of a Motion to Consolidate Appeals along with a filing fee of \$25.00. Please file the original and return a clocked copy to me.

By copy of this letter with enclosures, I am serving Allen Bullard, attorney for respondents and pro se Defendant Jesus Brito.

With kind regards,

S/MVE
Mark V. Evans

MVE/tob
Enclosure
cc: Allen Bullard, Esquire
Jesus Brito

RECEIVED

SEP 10 2014

SC Court of Appeals