

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Roger M. Young, Circuit Court Judge

Case No.: 11-CP-10-5051

CORPORATE AIR, LLC and Appellants,
CAM INVESTMENTS, INC.,

v.

DAVISAIR, INC., and GARY Respondents,
DAVIS,

MOTION TO DISMISS APPEAL

DavisAir, Inc., and Gary Davis, move to dismiss the appeal of the Order Compelling Discovery of the Honorable Roger M. Young dated July 30, 2012. Respondents' motion is based on the following grounds: 1) The Order is an interlocutory order that is not properly appealable under S.C. Code Ann. § 14-3-330 (1976); and 2) The appeal is frivolous and is taken solely for the purposes of delay in violation of Rule 269, SCACR and Rule 11, SCRCR. Respondents would seek sanctions against Appellants, including attorneys' fees and costs, as a result of the frivolous appeal of the Order.

August 20, 2012



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ATTORNEY'S FOR RESPONDENTS

RECEIVED

AUG 23 2012

SC Court of Appeals

PROOF OF SERVICE OF MOTION TO DISMISS

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DAVIS,

PROOF OF SERVICE

I certify that I have served the Motion to Dismiss Appeal on Corporate Air, LLC and CAM Investments, Inc., by depositing a copy of it in the United States Mail, postage prepaid, on August 20, 2012, addressed to his attorney of record, Alice F. Paylor, Esquire, Rosen, Rosen & Hagood, LLC, Post Office Box 893, Charleston, South Carolina.

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LAUREN L. FELDER

August 20, 2012

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

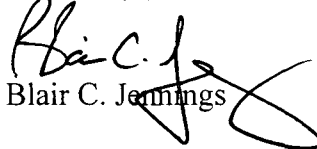
RE: Davis Air v. Corporate Air, LLC
C/A No.: 2011-CP-10-5051

Dear Ms. Kitchings:

Enclosed for filing please find the original and one copy of the Respondents' Motion to Dismiss Appeal in the above referenced matter. Also enclosed is this firm's check in the amount of \$25.00 as filing fee for same. Please file the original and return the file stamped copy to me in the enclosed envelope.

Should you have any questions, please do not hesitate to contact my office.

Very truly yours,


Blair C. Jennings

cc: Alice F. Paylor, Esquire

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SC Court of Appeals

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