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THE STATE OF SOUTH CAROLINA  
South Carolina Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas  
Case No.: 2013-CP-07-03131

**RECEIVED**  
OCT 29 2015  
SC Court of Appeals

Appellate Case No.: 2015-001469

J Dub Holdings, LLC. ....Appellant,

vs.

SBK Investments, L.P. and Beaufort County. ....Respondents.

CONSENT MOTION TO VACATE LOWER COURT ORDER AND FOR  
EXTENSION OF TIME TO FILE RESPONDENTS' INITIAL BRIEFS

The Respondent, SBK Investments, L.P. ("SBK"), with the consent of the Appellant, J Dub Holdings, LLC ("J. Dub"), and the Respondent, Beaufort County, as evidenced by their counsel's signatures below, request this Court vacate the Amended Order of the Trial Court ("Order"), dated June 2, 2015, granting Summary Judgment in favor of SBK on the following grounds.

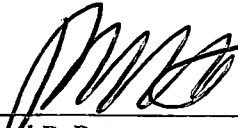
1. The Trial Court in its Order granted SBK's Motion for Summary Judgment and denied J. Dub's Motion for Summary Judgment.
2. That J. Dub timely filed an appeal of said Order raising various issues, including that the Trial Court should not have granted Summary Judgment since there were disputed issues of material fact that were determined by the Trial Court in said Order.

3. That Respondents SBK and Beaufort County, upon review of SBK's Initial Brief, agree Summary Judgment should not have been granted due to the existence of said material disputed facts.

4. That all parties request this Court vacate the Order and remand the matter for a full trial on all issues.

5. That the Initial Briefs of Respondents SBK and Beaufort County are due on November 2, 2015. Said parties request a continuance of said deadline pending the Court's ruling on this motion to vacate the Order.

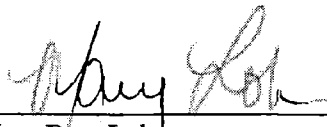
RUSSELL P. PATTERSON, P.A.

 10/28/15  
\_\_\_\_\_  
Russell P. Patterson  
SC Bar No.: 4735  
P.O. Box 8047  
Hilton Head Island, SC 29938  
(843) 341-9300  
[russell@russellpattersonlaw.com](mailto:russell@russellpattersonlaw.com)

WE CONSENT.

\_\_\_\_\_  
Curtis L. Coltrane / Date  
Coltrane & Wilkins, LLC  
P.O. Drawer 6808  
Hilton Head Island, SC 29938  
Attorneys for Appellant,  
J Dub Holdings, LLC

WE CONSENT.

 10/28/15  
\_\_\_\_\_  
Mary Bass Loh / Date  
Howell, Gibson & Hughes, P.A.  
P.O. Box 40  
Beaufort, SC 29901  
Attorneys for Respondent,  
Beaufort County

3. That Respondents SBK and Beaufort County, upon review of SBK's Initial Brief, agree Summary Judgment should not have been granted due to the existence of said material disputed facts.

4. That all parties request this Court vacate the Order and remand the matter for a full trial on all issues.


5. That the Initial Briefs of Respondents SBK and Beaufort County are due on November 2, 2015. Said parties request a continuance of said deadline pending the Court's ruling on this motion to vacate the Order.

RUSSELL P. PATTERSON, P.A.

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Russell P. Patterson  
SC Bar No.: 4735  
P.O. Box 8047  
Hilton Head Island, SC 29938  
(843) 341-9300  
[russell@russellpattersonlaw.com](mailto:russell@russellpattersonlaw.com)

WE CONSENT.

  
\_\_\_\_\_  
/ Date

Curtis L. Coltrane  
Coltrane & Wilkins, LLC  
P.O. Drawer 6808  
Hilton Head Island, SC 29938  
Attorneys for Appellant,  
J Dub Holdings, LLC

WE CONSENT.

\_\_\_\_\_  
/ Date  
Mary Bass Lohr  
Howell, Gibson & Hughes, P.A.  
P.O. Box 40  
Beaufort, SC 29901  
Attorneys for Respondent,  
Beaufort County

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that he has served the forgoing Consent Motion to Vacate Lower Court Order and for Extension of Time to File Respondents' Initial Briefs upon all counsel of record by affixing same with proper postage and place same with the United States Postal Service on the 28<sup>th</sup> day of October, 2015, addressed to the following:

1. Curtis L. Coltrane, Esquire  
Coltrane & Wilkins, LLC  
P.O. Drawer 6808  
Hilton Head Island, SC 29938  
*Attorneys for the Appellant,  
J Dub Holdings, LLC*

2. Mary Bass Lohr, Esquire  
Howell, Gibson & Hughes, P.A.  
P.O. Box 40  
Beaufort, SC 29901  
*Attorneys for the Respondent,  
Beaufort County*

RUSSELL P. PATTERSON, P.A.



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Russell P. Patterson  
SC Bar No.: 4735  
P.O. Box 8047  
Hilton Head Island, SC 29938  
(843) 341-9300  
[russell@russellpattersonlaw.com](mailto:russell@russellpattersonlaw.com)