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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

NOV 23 2015

The Honorable Larry B. Hyman, Jr.  
Circuit Court Judge

**SC Court of Appeals**

APPELLATE CASE NO. 2015-001868

SKYDIVE MYRTLE BEACH, INC.....Appellant

v.

HORRY COUNTY ..... Respondent.

**MOTION TO CONSOLIDATE**

The Appellant Skydive Myrtle Beach, Inc., by and through its undersigned attorneys and pursuant to Rule 214, SCACR, moves that the appeal from the Honorable Larry B. Hyman, Jr. served August 19, 2015 be consolidated with the second appeal from Judge Hyman served November 20, 2015. Appellant makes this motion on the grounds that both appeals arise out of the same litigation; the parties are identical; both appeals share common facts; and judicial economy militates in favor of consolidating both appeals. Counsel for Respondent has advised that Respondent consents to consolidation pursuant to the attached email.

November 20, 2015



Robert B. Varnado  
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(843) 737-7300

*and*  
Robert G. Eastman  
EASTMAN & ASSOCIATES  
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*Attorneys for Appellant*

**Other Counsel of Record:**

Michael W. Battle, Esquire  
Battle Law Firm, LLC  
Post Office Box 530  
Conway, SC 29528

Arrigo P. Carotti, Esquire  
Horry County Attorney  
1301 2nd Avenue  
Conway, South Carolina 29526

*Attorneys for Respondent*

**From:** Rob Varnado  
**Sent:** Thursday, November 19, 2015 2:18 PM  
**To:** 'Mike Battle'; Carotti, Arrigo  
**Cc:** Robert Eastman  
**Subject:** RE: Consolidating Appeals - 14-CP-26-4965

Thank you

**From:** Mike Battle [<mailto:MBattle@battlelawsc.com>]  
**Sent:** Thursday, November 19, 2015 2:03 PM  
**To:** Rob Varnado; Carotti, Arrigo  
**Cc:** Robert Eastman  
**Subject:** RE: Consolidating Appeals - 14-CP-26-4965

We will consent to a consolidation of the two appeals. Mike Battle

*Please be advised that this e-mail and any files transmitted with it are confidential attorney-client communications or may otherwise be privileged or confidential and are intended solely for the individual or entity to whom they are addressed. If you are not the intended recipient, please do not read, copy or retransmit this communication but destroy it immediately. Any unauthorized dissemination, distribution or copying of this communication is strictly prohibited.*

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Horry County Case No.: 2014-CP-26-4965

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SKYDIVE MYRTLE BEACH, INC.....Appellant

v.

Horry County,..... Respondent

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**CERTIFICATE OF SERVICE**

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The undersigned attorney hereby certifies that a true copy of the Appellant's *Motion to Consolidate* in the above referenced case has been served upon counsel of record by mailing a copy in an envelope properly addressed with postage prepaid this 20th day of November, 2015 to the following:

Other Counsel of Record:  
Michael Battle, Esquire  
Battle Law Firm, LLC  
P.O. Box 530  
Conway, SC 29528

Arrigo P. Carotti, Esquire  
Horry County Attorney  
1301 2nd Ave  
Conway, SC 29526



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Alexis M. Wimberly  
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Attorney for Appellant

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NOV 23 2015

SC Court of Appeals

November 20, 2015

**Via FedEx: Tracking Number 7750 2577 0990**

Mr. Shelby Snell, Deputy Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RE: Skydive Myrtle Beach, Inc. v. Horry County Appeal #2**  
Case No.: 2014-CP-26-4965  
Appellate Case No.: 2015-001868  
Our File No.: 6247 - 1

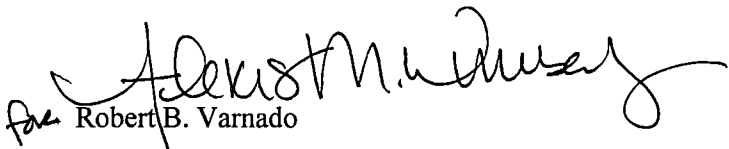
Dear Mr. Snell:

Enclosed for filing please find one (1) original and one (1) copy of: (1) a Notice of Appeal #2 and (2) Appellant's Motion to Consolidate. Please note this new appeal is related to the current appeal 2015-001868, hence the Motion to Consolidate. Upon filing, please return the file-stamped copy of both in the envelope provided. I am enclosing checks in the amounts of \$100.00 and \$25.00 for the respective filing fees. I am copying all counsel of record with the same.

With kindest regards, I remain,

Very truly yours,

BROWN & VARNADO LLC

  
for Robert B. Varnado

RBV/qai

Enclosure(s): as stated

cc: Arrigo P. Carotti, Esquire (*Via U.S. Mail*)  
Michael W. Battle, Esquire (*Via U.S. Mail*)  
Robert G. Eastman, Esquire (*Via U.S. Mail*)