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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM THE COURT OF COMMON PLEAS
BEAUFORT COUNTY
FOURTEENTH JUDICIAL CIRCUIT

J. Ernest Kinard, Jr., Judge

Appellate Case No. 2015-000003

The Callawassie Island Members Club, Inc.,

Respondent,

v.

Mark K. Quinn and Sherry B. Quinn,

Appellant.

MOTION TO CONSOLIDATE APPEALS

Appellants respectfully move the Court to consolidate four appeals pursuant to South Carolina Appellate Court Rule 214. Each action involves the same Respondent, a summary judgment order from the trial court, many of the same issues, and the same attorneys. The actions are:

1. *Callawassie Island Members Club vs. Ronnie D. Dennis & Jeannette Dennis*, 2014-001524
2. *Callawassie Island Members Club vs. Gregory L. Martin & Rebecca L. Martin*, 2015-000001
3. *Callawassie Island Members Club vs. Michael J. Frey & Grace I. Frey*, 2015-000002
4. *Callawassie Island Members Club vs. Mark K. Quinn & Sherry B. Quinn*, 2015-000003

Each of these actions involves the mandatory membership policy of Respondent Callawassie Island Members Club ("Club"). Each of the Appellants is a former member of the Club, who ended their membership in the Club. The Club then filed an action to enforce the Club's claimed mandatory membership policy against each Appellant. In each action, the Club's claim is based on the Club's governing documents. In each action, the trial court granted summary judgment in favor of the Club, concluding (among other things) that the Club's governing documents are clear and unambiguous and no genuine issue of material fact remains.

The appellate briefing is completed in each action, and many sections of the parties' briefs are identical in each appeal. For example, the parties' legal arguments in *Quinn*, *Frey*, and *Martin* largely track each other word-for-word, except for the parties' names and certain individual facts.

As stated above, the same attorneys represent each party in all four actions. No delay in the appeals, or oral arguments, is sought. The undersigned counsel is prepared to argue the actions together in February 2016, when the *Dennis* oral argument is being scheduled by the Clerk of Court. Of course, if the Court requires additional time to process all four appeals, counsel stand ready to follow the Court's scheduling instructions.

Appellants respectfully submit that it would be in the interest of judicial efficiency, and judicial consistency, to consolidate the four appeals. As stated above, one of the core issues is similar across the appeals—whether or not there is a genuine issue of material fact regarding the Club's claimed mandatory membership policy and

its governing documents. To the extent there are factual or legal differences among the individual Appellants, it will be more efficient to address the core legal issues together, and then to address any individual factual or legal differences in turn. This approach also minimizes the possibility of inconsistent rulings in the event the four actions are assigned to different panels on the Court.

Prior to filing this Motion, counsel for the Appellants sought consent of counsel for the Respondents. Counsel for the Respondent instructed the undersigned to proceed with this Motion, while the Club considers its position.

For these reasons, Appellants respectfully request that the Court issue an order consolidating the four actions listed above.

FORD WALLACE THOMSON LLC

By: 

Ian S. Ford
Neil D. Thomson
715 King Street
Charleston, SC 29403
T. 843.277.2011

*Attorneys for Appellants Ronnie and Jeanette
Dennis*

December 11, 2015

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Respondent,

v.

Mark K. Quinn and Sherry B. Quinn,

Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to Consolidate Appeals on all counsel of record by depositing a copy of it in the United States Mail, postage prepaid, on December 0, 2015, addressed to their attorneys of record:

Stephen P. Hughes, Esq.
J. Andrew Yoho, Esq.
Howell, Gibson and Hughes
P.O. Box 40
Beaufort, SC 29901

M. Dawes Cooke, Jr., Esq.
John Fletcher, Esq.
Barnwell Whaley Patterson & Helms, LLC
P.O. Drawer H
Charleston, SC 29402

FORD WALLACE THOMSON LLC

A handwritten signature in black ink, appearing to read "Ian S. Ford". The signature is stylized and cursive, with the first name "Ian" and last name "Ford" clearly visible. It is positioned above a horizontal line.

Ian S. Ford
Neil D. Thomson
715 King Street
Charleston, SC 29403
T. 843.277.2011
Attorneys for Appellants

FORD WALLACE THOMSON LLC

ATTORNEYS AT LAW

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SC Court of Appeals

Jenny Abbot Kitchings, Clerk
SC Court of Appeals
Attention: Elizabeth
P.O. Box 11629
Columbia, SC 29211

Re: *The Callawassie Island Members Club Inc. vs. Michael & Grace Frey*
SC Court of Appeals Case No.: 2015-000002

The Callawassie Island Members Club Inc. vs. Gregory & Rebecca Martin
SC Court of Appeals Case No.: 2015-000001

The Callawassie Island Members Club Inc. vs. Mark & Sherry Quinn
SC Court of Appeals Case No.: 2015-000003

The Callawassie Island Members Club Inc. vs. Ronnie & Jeannette Dennis
SC Court of Appeals Case No.: 2014-001524

Dear Elizabeth:

Enclosed for filing please find the original and one copy of the Motion to Consolidate along with a Proof of Service in each of the above-referenced matters.

I would appreciate your filing the same and returning a filed copy to me with the enclosed postage pre-paid Federal Express label provided for your convenience.

Thank you in advance for your assistance with this matter. Should you have any questions or concerns, please do not hesitate to contact my office.

With kind regards, I am,

Very truly yours,



Ian S. Ford
Neil D. Thomson

ISF/smb
Enc. – as stated

cc: M. Dawes Cook, Jr., Esq.
Stephen Hughes, Esq.

ORIGIN ID:CHSA (843) 277-2011
SANDIE BROYLES
FORD WALLACE THOMSON LLC
715 KING STREET

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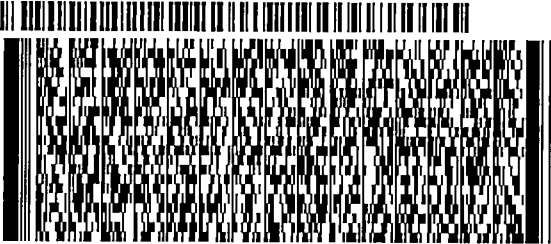
SC Court of Appeals

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