

1 STATE OF SOUTH CAROLINA COURT OF COMMON PLEAS
2 COUNTY OF CHARLESTON 2013-CP-10-00457

3
4 MATTHEW L. DAWSON,)
5 PLAINTIFF,) TRANSCRIPT OF RECORD
6 VS.)
7)
8 VILLAGE GREEN) FEBRUARY 18, 2016
9 HOMEOWNERS) CHARLESTON, SC
10 ASSOCIATION,)
11 DEFENDANT.)

RECEIVED
MAR 28 2016
SC Court of Appeals

12 B E F O R E:
13 HONORABLE R. MARKLEY DENNIS

14 A P P E A R A N C E S:
15 JOSEPH CONDON, ESQUIRE
16 Attorney for the Plaintiff
17 KEVIN MIMMS, ESQUIRE
18 DOUGLAS MACKELCAN, ESQUIRE
19 Attorneys for the Defendant

20 * * * * *
21 Ruth C. Weese, RDR
22 Ninth Judicial Circuit
23 Common Pleas
24
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1 (The following proceedings were held
2 February 18, 2016, Charleston County, South
3 Carolina, @ 1:11 p.m.)

4 THE COURT: Before we start if you will
5 identify yourself and the parties who are
6 represented here.

7 MR. CONDON: Thank you, Your Honor. My
8 name is Joe Condon. I represent Matt Dawson, the
9 Plaintiff in this case.

10 MR. MIMMS: Your Honor, Kevin Mimms for
11 the Defendant Village Green Homeowners Association.

12 MR. MACKELCAN: Doug MacKelcan also
13 for Village Green Homeowners Association.

14 THE COURT: All right. It is your
15 motion for reconsideration, Mr. Condon.

16 MR. CONDON: Thank you, Your Honor.

17 THE COURT: I have reviewed the motion
18 and I remember the case. So I will be happy to
19 hear from you why I should change my decision.

20 MR. CONDON: Well, first of all, Your
21 Honor, obviously summary judgment --

22 THE COURT: There is no need to argue
23 that. Tell me why you are entitled to
24 reconsideration.

25 MR. CONDON: Well, I think there's

1 material issues of fact.

2 THE COURT: I disagree with you. I
3 mean I disagreed with you the first day. There is
4 nothing that has changed my mind, okay? So your
5 motion is denied. Thank you, sir.

6 MR. CONDON: Yes, sir.

7 THE COURT: Okay. I assume you all
8 believe that there's no issues of fact here.

9 MR. MIMMS: Correct, Your Honor.

10 THE COURT: And I think the basis that
11 I have said for it is basically raised in your
12 motion. I just don't think there's any -- he has
13 any cause of action in this case. So thank you.

14 MR. CONDON: Yes, sir.

15 THE COURT: All right. For the reasons
16 previously stated I'll stand by those rulings and
17 now you can take it up to see if Columbia changes
18 and says you're right, Mr. Condon. Thank you, sir.

19 (These proceedings were concluded at
20 1:13 p.m., February 18, 2016, Charleston County,
21 South Carolina.)

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1 CERTIFICATE OF REPORTER
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3 I, Ruth C. Weese, Registered Diplomate
4 Reporter for the State of South Carolina at Large,
5 do hereby certify that the foregoing transcript is
6 a true, accurate, and complete record.

7 I further certify that I am neither related
8 to nor counsel for any party to the cause pending
9 or interested in the events thereof.

10 Witness my hand, I have hereunto affixed my
11 official seal this 4th day of March, 2016 at
12 Charleston, Charleston County, South Carolina.
13

14 *Ruth C. Weese*
15

16 Ruth C. Weese
17 Registered Diplomate
18 Reporter
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