

STATE OF SOUTH CAROLINA
COUNTY OF ANDERSON
IN THE COURT OF COMMON PLEAS
FILED-CLERK'S OFFICE
ANDERSON SC

JUDGMENT IN A CIVIL CASE
CASE NO. 2015-CP-04-02161



Mattress by Appointment, LLC

Retail Service Systems, Inc., Boxdrop
Furniture, Inc., Carlton Scott Andrew and
Darren Conrad

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for : Plaintiff Defendant

Self-Represented Litigant

RECEIVED

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

MAR 29 2016
SC Court of Appeals

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

See Pages Two (2) and Three (3).

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order.

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


Circuit Court Judge

2155
Judge Code

A TRUE COPY
1-26-16
Date JAN 27 2016
K. D. H. H. H.
CLERK OF COURT
Page 1



For Clerk of Court Office Use Only

This judgment was entered on the 27th day of Jan, 2016 and a copy mailed first class or placed in the appropriate attorney's box on this 27th day of Jan, 2016 to attorneys of record or to parties (when appearing pro se) as follows:

FILED-CLERK'S OFFICE
ANDREWSVILLE, SC
JAN 27 2016

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEYS FOR THE DEFENDANT(S)
CLERK OF COURT

Court Reporter:

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

The Court is, sua sponte, requiring the Plaintiff to provide more definite and certain statements in the Complaint. The Amended Complaint shall be verified by Plaintiff's highest ranking corporate officer and Plaintiff's attorney. The amendment shall be as follows and shall be due no later than Friday, February 5, 2016 by 5:00 pm (unless otherwise ordered by the Court). The more definite and certain statement shall include:

A) Date and places of incorporation of Plaintiff, Mattress by Appointment, LLC; the names of any and all predecessor's entities, including dates and places of incorporation;

B) Date, places and names of incorporation of any and all successor entities of Mattress by Appointment, LLC (including but not limited to all successor entities of identical name) principle places of business(es);

C) A brief description of the nature and matter by which Mattress by Appointment, LLC of Fla and Mattress by Appointment, LLC of South Carolina ⁽¹⁾ are legal successors in interest to Carolina Bedding Direct and how each legally became successors in interest to Carolina Bedding Direct (CBD), a Florida LLC;

D) Facts to support Plaintiff's underlying allegation(s) that Boxdrop Furniture, Inc. is wholly or partially owned by Defendant Retail Service Systems, Inc.;

E) Facts to support Plaintiff's contention in Paragraph 8 of its complaint that "Mattress by Appointment, LLC I" ⁽¹⁾ never conduct business, ⁽²⁾ is not a part of the Plaintiff Mattress by Appointment, LLC, ⁽³⁾ any and all facts to support Plaintiff's contention that "Mattress by Appointment, LLC I" was dissolved on February 6, 2014;

F) Facts to support Plaintiff's contention that Edwin Shoffner on September 4, 2014 purchased 55% interest in both "CBO/MBA" from the bankruptcy trustee;

TRUE COPY
JAN 27 2016
Richard N. Hunter
CLERK OF COURT
Page 2

G) Facts to support Plaintiff's contention in Paragraph 21 that on or around June, 2015 Conrad began acting as agent of RSS; H) Facts to support Plaintiff's contention that "contracts existed between MBA and Conrad..." (Paragraph 28 Complaint);

I) Facts to support Plaintiff's contention (Paragraph 30 Complaint) that RSS and Andrew tortiously interfered with these contracts;

J) Facts to support Plaintiff's contention in Paragraph 35 of the Complaint that RSS and Andrew assisted and/or abetted Conrad's breach of fiduciary duties;

Henceforth, all future pleadings, motions and filings and discovery responses shall be verified by the highest ranking corporate officer of each entity, the individual parties and their respective attorneys. No formal order is requested.

FILED-CLERK'S OFFICE
AUGUSTIN, TX
2016 JAN 27 AM 8:52
COMMITTEE
GENERAL & RESIDUAL

