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April 5, 2016

South Carolina Supreme Court
Daniel Shearhouse, Clerk of Court
1231 Gervais Street
Columbia, South Carolina 29201

Thomas P. Lyons and Desiree J. Lyons vs. Fidelity National Title Insurance Company, et al
Appellate Case No. 2016-000304

Dear Mr. Shearhouse:

Mr. David Haller recently filed a joint motion to vacate a judgment of the Court of Appeals. This letter is to certify that I authorized Mr. Haller to sign my name on my behalf and we jointly filing the motion. I am also forwarding a copy of the motion which I have signed.

Sincerely Yours,



Ray Coit Yarborough, Jr.

RCY/mp

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APR 06 2016

S.C. SUPREME COURT

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM Horry COUNTY
Court of Common Pleas

Paul M. Burch, Circuit Court Judge

Case No. 2012-CP-26-5222
Appellate Case No. 2016-000304

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APR 06 2016

S.C. SUPREME COURT

Thomas P. and Desiree J. Lyons,

Respondents.

v.

Fidelity National Title Insurance Company as successor by merger to
Lawyers Title Insurance Corporation, Bobby Gene Martin, and The
Security Title Guarantee Corporation of Baltimore,

Defendants,

Of Whom The Security Title Guarantee Corporation of Baltimore is the

Appellant.

MOTION TO VACATE OPINION OF THE COURT OF APPEALS

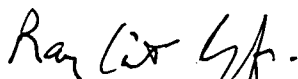
Pursuant to SCRAP Rule 251(d), Petitioner The Security Title Guarantee Corporation of Baltimore and Respondents Thomas P. and Desiree J. Lyons jointly move to vacate Opinion Number 5365 from the South Carolina Court of Appeals.

This is a dispute over whether Petitioner is required to pay over benefits from a title insurance policy to the Lyons. The parties have reached an agreement to settle the underlying dispute contingent on the Court of Appeals' order, Opinion Number 5365, being vacated. The Lyons brought this action against Security Title when a spoilage easement held by the U.S. Army Corp of Engineers was determined to cover their property in Horry County. The parties believe the opinion of the Court of Appeals has had the unintended consequence of expanding the standard of care for all real estate title examiners and closing attorneys by giving a broader definition of "public record" than what is necessary to resolve the specific controversy between the parties. Further, the parties have resolved this matter on grounds other than the contract dispute; hence, the opinion has become advisory in nature.

For the above reasons, the parties move to vacate the opinion of the Court of Appeals and dismiss this action with prejudice.

I SO MOVE:

I SO MOVE:



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Counsel for Petitioner

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