

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Aiken County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2007-CP-02-1602

RECEIVED
OCT 16 2012
SC Court of Appeals

Brian Holston.....Appellant

v.

Norfolk Southern Corporation and
Norfolk Southern Railway Company,.....Respondents.

AGREED STIPULATION OF DISMISSAL

Appellant, by and through his undersigned counsel, and Respondents, by and through their undersigned counsel, herewith stipulate and agree to the dismissal of this appeal in accordance with the provisions of Rule 260(b), SCACR. Appellant and Respondents further agree that the parties shall bear their own costs and fees in connection with this appeal and in connection with any proceedings in the trial court.

WHEREFORE, the parties respectfully request an order of this Court approving their agreement to dismiss this appeal and approving their request that no costs or fees be assessed to either party.

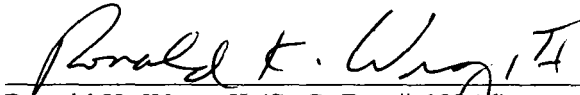
(SIGNATURES ON NEXT PAGE)

WE SO MOVE AND CONSENT



Paul A. Dominick
Stephen P. Groves, Sr.
Nexsen Pruet, LLC
205 King Street, Suite 400
Charleston, SC 29401

Attorneys for Appellant
Brian Holston



Ronald K. Wray, II (S. C. Bar # 65246)
James D. Brice (SC #869)
GALLIVAN, WHITE & BOYD, P.A.
55 Beattie Place, Suite 1200 (29601)
P.O. Box 10589
Greenville, SC 29603
(864) 271-9580
rwrap@gwblawfirm.com
jbrice@gwblawfirm.com

Attorneys for Respondents
Norfolk Southern Corporation and
Norfolk Southern Railway Company