

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

RECEIVED

The Honorable Deadra L. Jefferson
The Honorable Mikell R. Scarborough

JUN 27 2016
SC Court of Appeals

Case No. 2004-CP-10-3867
Appellate Case No. 2016-000879
Appellate Case No. 2016-000998

Charles Bickerstaff, M.D., and
Barbara Magera, M.D.,

Appellants,

v.

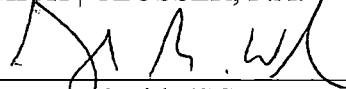
Roger Prevost d/b/a/ Prevost
Construction, Inc.

Respondent.

CONSENT MOTION FOR CONSOLIDATION OF APPEALS

Pursuant to Rule 214, SCACR, the Appellants, after consulting with and gaining the consent of the Respondent, hereby moves to consolidate the two above referenced appeals, 2016-000879 ("Appeal 1") and 2016-000998 ("Appeal 2"), based on the grounds that they involve overlapping issues and facts. Appeal 1 challenges the validity of a judgment, while Appeal 2 challenges an order allowing for certain actions to be taken with respect to the execution of that judgment. The validity of the order allowing for execution of the judgment is predicated on the underlying judgment itself having been issued without reversible error, thus the parties feel that it would be most efficient to consolidate these appeals.

SMITH | CLOSSER, P.A.



Steven L. Smith (SC Bar No.: 05173)
Samuel M. Wheeler (SC Bar No.: 101008)
7455 Cross County Road, Suite 1
P.O. Box 40578
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843-760-0220
Attorneys for the Appellants

June 24, 2016

Other Counsel of Record:

Frank M. Cisa
Cisa & Dodds, LLP
858 Lowcountry Boulevard, Suite 101
Mt. Pleasant, SC 29464
(843) 881-6530
Attorneys for the Respondent

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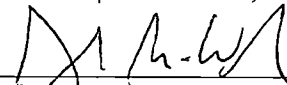
v.

Roger Prevost d/b/a/ Prevost
Construction, Inc. Respondent.

PROOF OF SERVICE

I certify that on June 24, 2016, I served the Consent Motion for Consolidation of Appeals on Frank M. Cisa, counsel for the Respondent, Roger Prevost d/b/a Prevost Construction, Inc., by mailing, postage prepaid, a copy of it to the offices of Cisa & Dodds, LLC, located at 858 Lowcountry Boulevard, Suite 101, Mount Pleasant, South Carolina, 29464.

SMITH | CLOSSER, P.A.



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June 24, 2016

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SC Court of Appeals

June 24, 2016

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

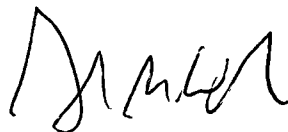
RE: Charles Bickerstaff, M.D., and Barbara Magera, M.D., Appellants v. Roger
Prevost d/b/a Prevost Construction, Inc., Respondent
Case No. 2004-CP-10-3867
Appellate Case No. 2016-000879; 2016-000998
S/C File No. 06-537

Dear Ms. Kitchings:

Enclosed for filing and the Court's consideration is a Consent Motion for Consolidation of Appeals and a Proof of Service of the above cases. Pursuant to Rule 240, SCACR, I have enclosed six (6) copies and the \$25 filing fee, in addition to a copy to be stamped and returned to our office in the provided prepaid, self-addressed envelope.

Thank you for your assistance. Should you have any questions, please do not hesitate to contact me.

Sincerely,

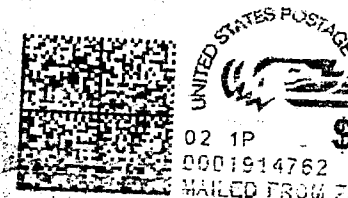


Samuel M. Wheeler

cc: Frank M. Cisa, Esq.
Attorney for the Respondent

Enclosures

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Charleston, SC 29423



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SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211