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**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM Horry County
Court of Common Pleas
The Honorable Benjamin H. Culbertson
Circuit Court Judge

RECEIVED
SEP 14 2016
SC Court of Appeals

APPELLATE CASE NO. 2016-001200
CIVIL ACTION NO. 2014-CP-26-6593

Michael Moely as Special Administrator of the
Estate of Donelle Bronstein a/k/a Donelle M. Ruiters
a/k/a Donelle Moely Bronstein,

APPELLANT,

versus

Virginia Bell, F.N.P. and
Inlet Medical Associates, P.A.

RESPONDENTS.

JOINT MOTION TO AMEND ORDER OF DISMISSAL

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, Appellant and Respondents in the above-referenced appeal hereby jointly move the Court for an order amending its Order of Dismissal filed on August 29, 2016. The Order of Dismissal recites that the case “has been fully and finally settled by agreement between the parties.” The underlying case, however, was not settled by the parties. Rather, the Honorable Benjamin J. Culbertson dismissed the case pursuant to the Respondents’ motion to dismiss. The parties to the appeal have now simply agreed that the appeal would be

dismissed pursuant to Rule 260(b), SCACR and that each party would bear their own appeal costs. Therefore, Appellant and Respondents respectfully request that the Court omit the language that the case “has been fully and finally settled by agreement between the parties” from the Order of Dismissal and simply recite that the parties have agreed to a dismissal of the appeal pursuant to Rule 260(b), SCACR with each party to bear their own appellate costs.

Respectfully submitted,



Marian W. Scalise
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Carmen V. Ganjehsani
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ATTORNEYS FOR RESPONDENTS

Susan Campbell resigned w/ express permission by CVG

Susan F. Campbell
MCGOWAN HOOD & FELDER, LLC
304 Church Street
Georgetown, SC 29440
(843) 833-8082
ATTORNEYS FOR APPELLANT

September 14, 2016.

CERTIFICATE OF SERVICE

I, the undersigned, attorney for Respondents, Virginia Bell, F.N.P. and Inlet Medical Associates, P.A, do hereby certify that I have this date served the foregoing Joint Motion to Amend Order of Dismissal, dated September 14, 2016, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to counsel of record as indicated below:

Susan F. Campbell
MCGOWAN HOOD & FELDER, LLC
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Georgetown, SC 29440
Attorney for Appellant



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ATTORNEY FOR RESPONDENTS

Dated: September 14, 2016.

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Reply to: Carmen V. Ganjehsani
Direct Dial: 803-253-8692
cganjehsani@richardsonplowden.com

September 14, 2016

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *Michael Moely v. Virginia Bell, F.N.P. et al.*
Appellate Case No. 2016-001200
Case No: 2014-CP-26-06593
RPR File No.: 5412-123

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Dear Ms. Kitchings:

I am enclosing for filing the original and seven copies of the Joint Motion to Amend the Order of Dismissal in the above-referenced matter, along with our Certificate of Service. Also enclosed is our firm's check in the amount of \$25.00 to cover the filing fee for this Motion. Please return a clocked copy of the Motion via our courier.

By copy of this letter, we are serving a copy of this Motion on counsel for the Appellant.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



Carmen V. Ganjehsani

CVG

cc: Susan F. Campbell
Marian Williams Scalise (via e-mail)