

# The Supreme Court of South Carolina

Paula Fullbright and Mark Fullbright, Plaintiffs,

v.

Spinnaker Resorts, Inc. d/b/a Spinnaker Resorts South  
Carolina, Inc., Defendant.

Appellate Case No. 2016-001765

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## ORDER

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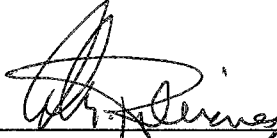



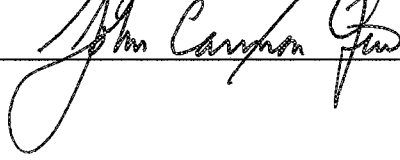
Pursuant to Rule 244, SCACR, the Court will answer the following questions certified to this Court by order of the Honorable Patrick Michael Duffy, United States District Court for the District of South Carolina:

1. Does the South Carolina Real Estate Commission (the Commission) have exclusive jurisdiction to determine whether a violation of the South Carolina Vacation Time Sharing Plans Act<sup>1</sup> (the Act) has occurred?
2. Is the Commission's determination of a violation of the Act a condition precedent to a purchaser bringing a private cause of action to enforce the provisions of the Act?
3. Are the Commission's determinations as to whether the Act was violated binding on courts of the Judicial Branch?

The parties shall serve and file briefs as provided by Rule 244(e), SCACR. Because Rule 244 does not provide for the filing of initial briefs, only final briefs should be filed in this matter.

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<sup>1</sup> S.C. Code Ann. §§ 27-32-10 to -410 (2007 and Supp. 2015).

  
\_\_\_\_\_ C. J.  
  
\_\_\_\_\_ J.  
  
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Columbia, South Carolina

September 21, 2016

cc:

Joseph DuBois, Esquire

Zachary Steven Naert, Esquire

Michael D. Finn, Esquire

Patrick Andrew Kennedy, Esquire

J. Andrew Meyer, Esquire

Barry L. Johnson, Esquire

P. Michael Duffy, Esquire