

From: [Christian Stegmaier](#)
To: [Kitchings, Jenny](#)
Cc: "[Melissa G. Mosier](#)"
Subject: Rebecca Jackson v. OSI Restaurant Partners, LLC
Date: Wednesday, December 21, 2016 3:15:16 PM

Jenny-

Hope you're well. Need some insight on how to proceed in a curious circumstance. Counsel for the Appellant, Melissa Mossier, is on this email.

Respondents were awarded summary judgment by the Circuit Court. Appellant appealed. The Ct. App. reversed and remanded. We moved for rehearing and rehearing en banc. The panel granted the petition for rehearing, but did not change the outcome. The panel made no reference to the en banc petition nor was there a separate order disposing of it, which is creating a question for us.

<http://www.sccourts.org/opinions//unpublishedopinions/HTMLFiles/COA/2016-UP-408.pdf>

Question: What do Respondents do now? We remain aggrieved with the panel's decision. Is there going to be a ruling on the en banc petition? Is it still operative? Do/can we refile a petition for en banc review? Or do we go ahead and petition for cert? Don't want to guess wrong and get past either 15 days for the en banc petition or 30 days for the cert petition without doing what needs to be done to protect our client's position.

Thanks in advance for any help/insight.

CS

Christian Stegmaier

Direct: (803) 255-0454
Main: (803) 256-2660
Fax: (803) 771-4484
Vcard: [download vcard](#)
Web: www.collinsandlacy.com

1330 Lady Street, 6th Floor
Columbia, SC 29201



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