

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Appeal No. 2016-001928
Case No. 2013-CP-07-1807

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SC Court of Appeals

William Loflin and Leslie Loflin,

Appellants,

v.

BMP Development LP, Balsam Mountain
Group, LLC, Coward, Hicks & Siler, P.A.,
J.K. Coward, Jr., Chicago Title Insurance
Company, and Counsellor Title Agency,
Inc.,

Defendants,

OF WHICH

Counsellor Title Agency, Inc.,

Respondent.

JOINT MOTION TO STAY BRIEFING

The Appellants, William Loflin and Leslie Loflin (“**Loflins**”), and the Respondent, Counsellor Title Agency, Inc. (“**Counsellor**”), jointly move for an Order staying briefing in this appeal. In support of this Motion, the parties would show as follows:

1. The Loflins filed a lawsuit against the Defendants above-named, arising out of their purchase of real estate located in North Carolina.

2. In connection with their real estate purchase, the Loflins acquired title insurance with Chicago Title Insurance Company (“**Chicago**”), through Counsellor, an agent for Chicago. The Loflins were represented in the transaction by Coward Hicks & Siler, P.A. and J.K. Coward, Jr. (“**Coward Defendants**”).

3. The Circuit Court issued separate Orders granting summary judgment against the Loflins and in favor of Chicago, Counsellor, and the Coward Defendants.

4. The Loflins appealed all three Orders to this Court: Appeal No. 2016-001840 (“**Chicago Appeal**”); Appeal No. 2016-001928 (“**Counsellor Appeal**”); and Appeal No. 2016-001948 (“**Coward Appeal**”).

5. The Chicago Appeal has been fully briefed by the parties. The Loflins’ Initial Briefs in the Counsellor and Coward Appeals are due on March 17, 2017.

6. The Loflins have reached a binding agreement with Counsellor pursuant to which a decision in the Chicago Appeal will either resolve the present appeal entirely or significantly limit the issues to be briefed and presented to this Court for a decision.¹

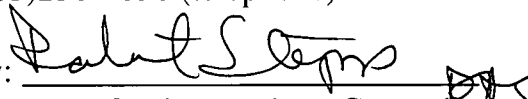
7. The Loflins and Counsellor respectfully request that the briefing of this appeal be stayed pending a final decision in the Chicago Appeal.

¹The Loflins and the Coward Defendants have this date filed the identical Motion in the Coward Appeal.

Daniel A. Speights (SC Bar # 5027)
A.G. Solomons, III (SC Bar # 68291)
SPEIGHTS & RUNYAN
100 Oak Street, East
Post Office Box 685
Hampton, South Carolina 29924
(803)943-4444 (telephone)
(803)943-4599 (facsimile)

By: 
Attorneys for Appellants

Robert E. Stepp, Esquire
Sowell, Gray, Stepp & Laffitte, LLC
1310 Gadsden Street
Post Office Box 11449
Columbia, South Carolina 29211
(803)231-7836 (telephone)

By: 
Attorneys for Respondent, Counsellor
Title Agency, Inc.

February 17, 2017

SPEIGHTS & RUNYAN

ATTORNEYS AT LAW
100 OAK STREET, EAST
POST OFFICE BOX 685
HAMPTON, SOUTH CAROLINA 29924
(803) 943-4444

DANIEL A. SPEIGHTS
dspeights@speightsrunyan.com

TELECOPIER
(803) 943-4599

February 17, 2017

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

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SC Court of Appeals

Re: William Loflin v. BMP Development, LP (2)
Appellate Case No. 2016-001928

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced matter is Joint Motion to Stay Briefing.

Please accept my kind regards.

Sincerely yours,

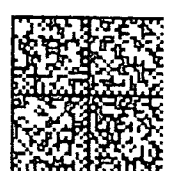
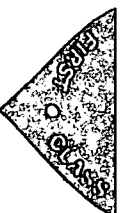
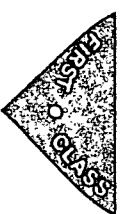
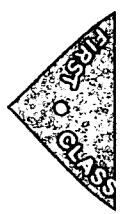



Daniel A. Speights

DAS/rb

Enclosure


cc Robert E. Stepp, Esquire



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SC Court of Appeals

