

The South Carolina Court of Appeals

Gabriel Barnhill and GSB Enterprises, LLC,
Respondents,

v.

J. Floyd Swilley, J. Floyd Swilley Investment Advisors,
Laurel K. Swilley, SMG Partners, LLC, SMS Services,
LP, William C. Piner, WCP Limited, LLC, 809 Holdings,
LP, QC Financing, LLC, Heath Causey, and Sage
Financial Group, LLC, J. Floyd Swilley SMG Partners,
LLC, Alicia A. Piner, Heath Causey, Sage Advisory
Group, L.P., Sage Private Equity Group, Secured Asset
Factoring Exchange, Inc., SAFE, Inc., Digics, LLC, 9-1-
1, Plumbing, LLC, and Sage Funding, L.P., Christopher
Pitcock, Defendants,

Of Whom J. Floyd Swilley, Laurel K. Swilley, and Heath
Wendell Causey are the Appellants.

Appellate Case No. 2016-001328

ORDER

Respondents have filed a motion to strike pursuant to Rule 210, SCACR, arguing that Appellant Wendell Causey designated documents in his amended designation of matter and referenced documents in his initial reply brief that were not presented to the lower court. After careful consideration, the motion is granted to the extent that the following documents shall not be included in Causey's designation of matter or referenced in Causey's reply brief: (1) Deposition of Joyce Kauffman; (2) Deposition of Mark Sarvis; (3) Plaintiffs' Supplemental Interrogatory to Defendants dated January 11, 2016; and (4) Letter from this Appellant or Affiant with all Discovery Items provided along with an approximate number of pages to demonstrate the voluminous amount of discovery the defendants did provide to

plaintiffs. Within twenty days, Causey shall serve and file an amended reply brief and a second amended designation of matter in compliance with this order.

The motions to strike Respondents' initial briefs are denied.

FOR THE COURT

Columbia, South Carolina

cc:
Heath Wendell Causey
Frederick Miles Adler, Esquire
Natale Fata, Esquire

FILED
March 16, 2017