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APR 20 2017

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas
Jean Hoefler Toal, Presiding Judge for the Eighth Judicial Circuit

Appellate Case No. 2017-000208

Raj Kumar, Appellant,

v.

C. D. Coleman Oil Co., Respondent.

MOTION TO DISMISS

Background. On March 30, 2017, Pete Coleman and C.D. Coleman Oil Co., Inc. (hereinafter referred to as "Coleman") and Raj Kumar and Around the Clock BP, Inc., (hereinafter referred to as "Kumar") entered into a Settlement Agreement and Mutual Release whereby Coleman and Kumar have resolved the matters at issue in this Appeal. Coleman and Kumar may hereinafter be referred to jointly as the "Parties".

Authority. South Carolina Appellate Court Rules: Rule 260 (b), SCACR. Which states, in part, [I]f the parties to an appeal or other proceeding shall sign and file with the clerk of the appellate court an agreement that the proceeding be dismissed, the appellate court may enter an order of dismissal.

Reasons. The Parties agree and hereby notify the South Carolina Court of Appeals that they have reached a confidential settlement agreement and that no further hearing or determination by the

Court is necessary. The Parties further agree that each shall be responsible for their own costs and attorneys' fees. Therefore, the undersigned attorneys for the Parties respectfully request that the Appellate Court enter an Order of Dismissal with Prejudice.

We Consent,

We so move,

KYLE B. PARKER

Kyle B. Parker, Esq.
Attorney for Respondent
POPE & HUDGENS, P.A.
P.O. Box 190
Newberry, SC 29108
April 18, 2017

Larry E. Gregg

Larry E. Gregg, II, Esq.
Attorney for Appellant
A Business Law Firm, LLC
P.O. Box 3421
Spartanburg, SC 29304
April 18, 2017

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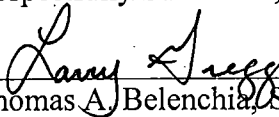
C. D. Coleman Oil Co.,

Respondent.

PROOF OF SERVICE

I certify that I have served a **Motion to Dismiss** on C.D. Coleman Oil Co., by depositing a copy of it in the United States Mail, postage prepaid, addressed to his attorney of record, Kyle B. Parker, P. O. Box 190, Newberry, South Carolina 29108.

Respectfully Submitted,


Thomas A. Belenchia, SC Bar No: 2371
Larry E. Gregg, II, SC Bar No: 101215
Chelsea R. Rikard, SC Bar No: 102355
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April 18, 2017

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Attorneys and Counselors at Law

April 18, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

RE: MOTION TO DISMISS
Appellate Case No.: 2017-000208
Appellant: Raj Kumar
Respondent: C D Coleman Oil Co.


Dear Ms. Kitchings:

Enclosed for filing is an original and seven (7) copies of the following documents:

1. Motion to Dismiss; and
2. Proof of Service showing that such Motion has been served on Respondent's attorney.

Also enclosed is a check in the amount of Twenty-Five (\$25.00) Dollars for the filing fee. Upon filing, please return a clocked copy to me in the self-addressed, stamped envelope. By copy of this letter, I am also serving the Respondent's attorney with a copy of the enclosed documents.

Sincerely,
A BUSINESS LAW FIRM, LLC


Larry E. Gregg, II
Attorney for Appellant

cc: Kyle B. Parker, Esq.
POPE & HUDGENS, P.A.
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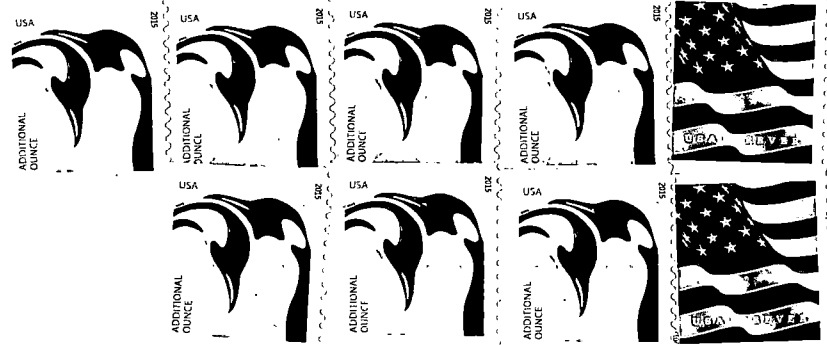
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SC Court of Appeals

Greenville P&DC 296

TUE 18 APR 2017 PM



The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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