

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Circuit

The Honorable Maite D. Murphy, Circuit Court Judge

RECEIVED
MAY 25 2017
SC Court of Appeals

Appellate Case No. 2013-CP-10-4874

Byrdnest, LLC, Craig Sedmak, Stephanie Sedmak, and
Wesley Nau Plaintiffs

v.

John Ramaci, Haverly Ramaci, Richard Scott, and Billy
Ulm Defendants

Of which John Ramaci is Appellant

AND

Of whom Billy Ulm is Respondent

RETURN TO APPELLANT'S PETITION FOR REHEARING

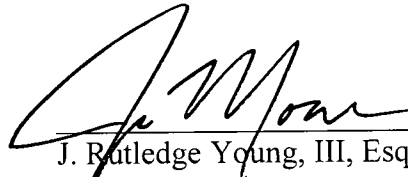
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Attorneys for Respondent

The case was originally filed in August of 2013. Over the past four years, Appellant has fought diligently to delay the case against him at every opportunity. On May 11, 2017, the Court granted Respondent Ulm's Motion to Dismiss Ramaci's Appeal and denied Ramaci's Petition for Supersedeas. In its Order, the Court noted that it considered Ramaci's arguments fully and found them to be without merit. On May 19, 2017 Ramaci filed his Petition for Rehearing with this Court as his latest effort to delay the trial.

The only material change that has occurred since the Court's May 11, 2017 Order is that Ramaci has settled with the plaintiffs in full. Thus, there is no reason for the Court to reconsider its ruling on Ramaci's Petition for Supersedeas—there are no claims left to stay. Only Ulm's crossclaims remain and the trial court has tentatively set those claims to proceed to trial on June 5, 2017—slightly less than two weeks from now. Despite Ramaci's arguments in response to Ulm's Motion to Dismiss, the existence of Ulm's crossclaims was never any impediment to Ramaci's settlement efforts. Ramaci's Petition for Rehearing fails to identify any errors made by the Court, does not raise any new issues and is simply his latest maneuver in a no holds barred attempt to procedurally delay the trial of this case. Respondent Ulm respectfully requests that the Court deny Ramaci's Petition for Rehearing.

(signature on following page)



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May 23, 2017
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Maite D. Murphy, Circuit Court Judge

Case No. 2013-CP-10-4874
Appellate Case No. 2017-000529

RECEIVED

MAY 25 2017

SC Court of Appeals

Byrdnest, LLC, Craig Sedmak, Stephanie Sedmak, and
Wesley Nau Plaintiffs,

v.

Johnathan Ramaci, Haverly Ramaci, Richard Scott, and
Billy Ulm Defendants,

Of whom

Johnathan Ramaci is Appellant,

And

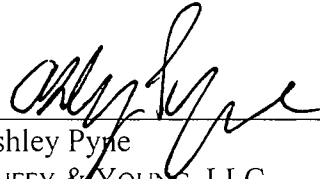
Billy Ulm is Respondent

PROOF OF SERVICE

I, Ashley Pyne, paralegal for Duffy & Young, LLC, certify that I have served the
Return to Appellant's Petition for Rehearing on all parties in this action by U.S. mail on
May 23, 2017 by depositing a copy of it to their attorneys of record as shown below:

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ATTORNEYS AT LAW

May 23, 2017

VIA U.S. MAIL

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

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MAY 25 2017
SC Court of Appeals

RE: Byrdnest, LLC , Craig Sedmak, Stephanie Sedmak, and Wesley Nau v.
Johnathan Ramaci, Haverly Ramaci, Richard Scott, and Billy Ulm
Civil Action No . 2013-CP-10-04874
Appellate Case No. 2017-000529
Our File No. 47061/01500

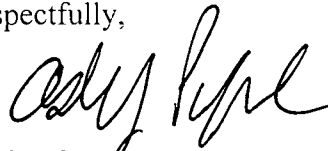
Dear Ms. Kitchings:

Enclosed for filing please find one original and seven copies of Bill Ulm's Return to Appellant's Petition for Rehearing in the above-referenced matter, as well as one original and one copy of the Proof of Service of Bill Ulm's Return to Appellant's Petition for Rehearing.

Please file the originals and return a file-stamped copy to me of the Motion and Proof of Service in the enclosed self-addressed stamped envelope.

I appreciate your assistance in this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,



Ashley Pynne
Paralegal

Enclosures

cc: Benjamin A. Traywick, Esquire
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