

ORIGINAL

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LEXINGTON)
)
 ROBERT F. BERRY,)
)
 Plaintiff,)
)
 vs.)
)
)
 SCOTT A. SPANG, WELLS FARGO)
 CLEARING SERVICES, LLC, f/k/a)
 WELLS FARGO ADVISORS, LLC.)
 WACHOVIA SECURITIES)
 FINANCIAL HOLDINGS, LLC,)
 WELLS FARGO & COMPANY, and)
 WELLS FARGO BANK, N.A.,)
)
 Defendants.)
)

IN THE COURT OF COMMON PLEAS
 ELEVENTH JUDICIAL CIRCUIT
 Civil Action No. 2017-CP-32-00397

ORDER

RECEIVED

AUG 10 2017

SC Court of Appeals

2017 AUG 23 11:10:53
 CLERK OF COURT
 SCOURT OF APPEALS

Before the Court is Defendants' Motion for Reconsideration or Amendment of this Court's Order, filed June 21, 2017, denying Defendants' Motion to Dismiss or Stay Pending Arbitration.

After careful consideration of the record in this case and the submissions of the parties, this Court is unable to discover any material fact or principle of law that has either been overlooked or disregarded and further finds no error of law or facts not appropriately considered.

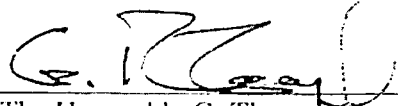
Accordingly, this Court hereby **DENIES** Defendant's Motion under Rule 59(e), SCRPC, to reconsider this Court's March 1, 2017, Order. Furthermore, pursuant to Rule 59(f), SCRPC, the Court is of the opinion that oral argument is not necessary.

In regard to Defendants' request to for an extension of time to file a responsive pleading, which request has been extended with the consent of Plaintiff, Defendants' request is granted, and Defendants are ordered to file a responsive pleading within 10 days from receipt of this Order.



In regard to Defendants' request for an extension of time to respond to Plaintiff's outstanding discovery requests, which request has been extended with the consent of Plaintiff. Defendants' request is granted, and Defendants are ordered to provide discovery responses to all outstanding discovery requests of Plaintiff within 40 days from receipt of this Order.

AND IT IS SO ORDERED.


The Honorable G. Thomas Cooper, Jr.

July 24, 2017

Haynsworth Sinkler Boyd, P.A.

Date Rec'd 7/31/17
C/M # 31686.0261
Routing AWY
Calendared _____

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CLERK OF COURT

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF LEXINGTON
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2017CP3200397

Robert F Berry

RECEIVED

AUG 10 2017

SC Court of Appeals

Wells Fargo Clearing
 Services LLC
 Wells Fargo & Company
 Scott A Spang

Wells Fargo Advisors
 LLC
 Wells Fargo Bank NA
 Wachovia Securities
 Financial Holdings LLC

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
 Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge

Judge Code

7/27/2017

Date

For Clerk of Court Office Use Only

This judgment was entered on 25th July 2017, and a copy mailed first class or placed in the appropriate attorney's box on 28th July 2017, to attorneys of record or to parties (when appearing pro se) as follows:

Chad Nicholas Johnston
PO Box 8416 Columbia, SC 29202-8416

Adam Noah Yount
PO Box 340 Charleston, SC 29402-0340
Frederick T Smith
6000 Fairview Road Suite 1200 Charlotte, NC 28210

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Lisa M. Comer/jp

Court Reporter

Lisa M. Comer - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
