

THE STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIFIED QUESTIONS
United States District Court for the District of South Carolina

Patrick Michael Duffy, Senior U.S. District Judge

Appellate Case No. 2016-001766

RECEIVED

JUL 07 2017

S.C. SUPREME COURT

Paul Chenard and Rebecca Chenard, Plaintiffs,

v.

Hilton Head Island Development Company, LLC d/b/a
Coral Resorts and Sunrise Vacation Properties, Ltd., d/b/a
Coral Resorts, Defendants.

James Nichols and Irene Nichols, Plaintiffs,

v.

Hilton Head Island Development Company, LLC,
Sunrise Vacation Properties, Ltd., Sherri J. Smith,
Patrick Budnick, and Robert Lauderman, Defendants.

Linda Renchkovsky, Plaintiff,

v.

Coral Resorts, LLC, and Sunrise Vacation Properties
Ltd. d/b/a Coral Resorts, Defendants.

Robert Curry, Jr. and Monica R. Curry, Plaintiffs,

v.

Hilton Head Island Development Company, LLC d/b/a
Coral Resorts and Sunrise Vacation Properties, Ltd. d/b/a
Coral Resorts, Defendants.

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Charles Olenick and Karen Maniscalco, Plaintiffs,

v.

Coral Resorts, LLC and Sunrise Vacation Properties, Ltd.
d/b/a Coral Resorts, Defendants.

Phillip Ross and Kimberly Ross, Plaintiffs,

v.

Hilton Head Island Development Company, LLC,
Sunrise Vacation Properties, Ltd., Sherri J. Smith, David
Watson, and Sheldon Stanhope, Defendants.

**DEFENDANTS' MOTION FOR ORAL ARGUMENT
ON DEFENDANTS' PETITION FOR REHEARING**

Hilton Head Island Development Company, LLC, Coral Resorts, LLC, Sunrise Vacation Properties, Ltd., Sherri J. Smith, David Watson, Sheldon Stanhope, Robert Lauderman, and Patrick Budnick ("Defendants") respectfully move this Court to schedule oral arguments on Defendants' Petition for Rehearing.

On June 1, 2017, Defendants submitted their Petition for Rehearing to this Court, which outlined various points that this Court's opinion, filed May 17, 2017,¹ overlooked and misapprehended in answering the certified questions from the United States District Court for the District of South Carolina. Plaintiffs submitted their Return to Defendants' Petition for Rehearing on June 12, 2017, and Defendants submitted their Reply to

¹ Opinion No. 27720, filed May 17, 2017.

Plaintiff's Return on June 19, 2017, further detailing the various points that this Court's May 17, 2017 Opinion overlooked and misapprehended.²

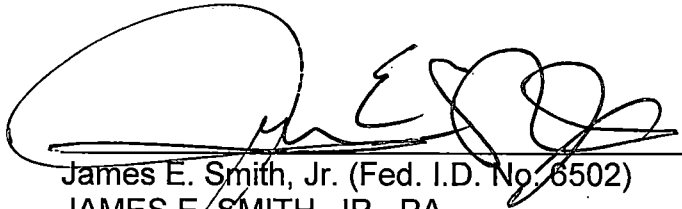
Some of the points raised in Defendants' Petition for Rehearing were not the subject of oral argument during the original hearing because they were only brought to light by the Court's ruling. Since there is new oral argument to present to the Court and the parties have finished briefing their arguments in connection with Defendants' Petition for Rehearing, it is in the interest of justice that this Court should schedule oral arguments to address the various points that this Court's May 17, 2017 Opinion overlooked and misapprehended. This would provide the Court the opportunity to ensure its construction of the South Carolina Vacation Time Sharing Plans Act ("Timeshare Act") adheres to the plain language of the Timeshare Act and that such construction does not lead to absurd results or render the provisions of the Timeshare Act meaningless.

CONCLUSION

Based upon the foregoing, Defendants respectfully request that this Court schedule oral arguments on Defendants' Petition for Rehearing.

Signature on following page

² In the interest of brevity, Defendants incorporate by reference the points and arguments set forth in their Petition for Rehearing and Reply.



James E. Smith, Jr. (Fed. I.D. No. 6502)
JAMES E. SMITH, JR., PA
1422 Laurel Street
Columbia, SC 29201
Telephone: 933-9800
Facsimile: 933-9801
james@jamesmithpa.com

ATTORNEY FOR DEFENDANTS

July 7, 2017

Columbia, South Carolina

Nekki Shutt (Fed. 6530 / SC 8784)
Kathleen M. McDaniel (Fed. 10139 / SC 74826)
Jacqueline M. Pavlicek (Fed. 11890 / SC 100556)
BURNETTE SHUTT & MCDANIEL, PA
912 Lady Street
PO Box 1929
Columbia, South Carolina 29202
Tel: 803-850-0912
Fax: 803-904-7910
nshutt@burnetteshutt.law
kmcdaniel@burnetteshutt.law
jpavlicek@burnetteshutt.law

**ATTORNEYS FOR DEFENDANTS CORAL
RESORTS, LLC AND HILTON HEAD
ISLAND DEVELOPMENT COMPANY, LLC**

July 7, 2017

Columbia, South Carolina

Thornwell F. Sowell, III (Fed. I.D. No. 4244)
Bess J. DuRant (Fed. I.D. No. 10603)
SOWELL GRAY ROBINSON STEPP & LAFFITTE,
LLC
1310 Gadsden Street
PO Box 11449
Columbia, South Carolina 29211
Tel: 803-929-1400
Fax: 803-929-0300
bsowell@sowellgray.com
bdurant@sowellgray.com

**ATTORNEYS FOR DEFENDANTS SUNRISE
VACATION PROPERTIES, LTD., SHERRI J. SMITH,
DAVID WATSON, SHELDON STANHOPE, ROBERT
LAUDERMAN, AND PATRICK BUDNICK**

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PROOF OF SERVICE

I certify that I have served the BRIEF OF DEFENDANTS on the following by causing a copy to be mailed via U.S. Mail, postage pre-paid, to Counsel for the Plaintiffs on July 7, 2017, at the addresses shown below:

Zach S. Naert, Esq.
Joseph DuBois, Esq.
NAERT & DuBois, LLC
Post Office Box 7228
Hilton Head Island, SC 29938

Signature on following page



James E. Smith, Jr. (Fed. I.D. No. 6502)

JAMES E. SMITH, JR., PA

1422 Laurel Street

Columbia, SC 29201

Telephone: 933-9800

Facsimile: 933-9801

james@jamesmithpa.com

ATTORNEY FOR DEFENDANTS

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Columbia, South Carolina