

STATE OF SOUTH CAROLINA
In The Court of Appeals

**Appeal from Charleston County
Court of Common Pleas**

R. Markley Dennis, Jr., Circuit Court Judge
Appellate Case No.: 2015-00-2187

Sea Island Food Group, LLC d/b/a Squeeze, Appellant,

v.

Yaschik Development Company, Inc. d/b/a Yaschik Enterprises, Hilton Smith, East Bay Company, LTD, and Michael J. Quillen Family Limited Partnership, Defendants of whom **Hilton Smith and East Bay Company, LTD are Respondents,**

Quillen Enterprises, LLC d/b/a The Brick, Appellant,

v.

Yaschik Development Company, Inc. d/b/a Yaschik Enterprises, Hilton Smith, East Bay Company, LTD, and Michael J. Quillen Family Limited Partnership, Defendants of whom **Hilton Smith and East Bay Company, LTD are Respondents,**

Michael J. Quillen Family Limited Partnership, Third-Party Plaintiff,

v.

Top of the Bay, Inc., d/b/a Club Light, Third-Party Defendant,

Top of the Bay, Inc., d/b/a Club Light, Fourth-Party Plaintiff,

v.

Yaschik Development Company, Inc., d/b/a Yaschik Enterprises, Fourth-Party Defendant.

MOTION FOR LEAVE

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SC Court of Appeals


M. Brooks Derrick
Law Office of M. Brooks Derrick, LLC
224 NE Main Street
Simpsonville, SC 29681
(864) 757-0757
Attorney for Appellant

Charles J. Baker, III
Womble, Carlyle, Sandridge & Rice, LLP
5 Exchange Street
Charleston, SC 29401
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Attorney for Respondents

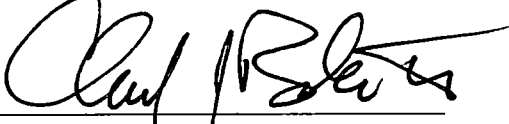
Appellants, Sea Island Food Group, LLC and Quillen Enterprises, LLC, and Respondents, Hilton Smith and East Bay Company, Ltd., pursuant to South Carolina Appellate Court Rule 240(a) and Rule 60, SCRPC, move for leave of the South Carolina Court of Appeals to remand the case to the trial court so that the parties to this Appeal may file a Joint Motion to Vacate the July 14, 2015 Order issued by R. Markley Dennis, Jr., which is the basis of this appeal from the Charleston County Court of Common Pleas.

WHEREFORE, Appellants and Respondents respectfully request that leave be granted and the case remanded to file a Motion to Vacate the Order and basis for this appeal.

I SO MOVE AND CONSENT:


M. Brooks Derrick (SC Bar No. 76330)
Law Office of M. Brooks Derrick
224 Northeast Main Street
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Telephone: (843)410.2545
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I SO CONSENT:


Charles J. Baker, III (SC Bar No. 486)
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cbaker@wcsr.com

Dated: September 13, 2017
Columbia, South Carolina

CERTIFICATE OF SERVICE

It is hereby certified that on September ^{19th} 2017, I caused the foregoing MOTION

FOR LEAVE to be sent to the following individuals via first-class and electronic mail:

Charles J. Baker, III (SC Bar No. 486)
Womble, Carlyle, Sandridge & Rice, LLP
5 Exchange Street
Charleston, SC 29401
cbaker@wcsr.com

M. Brooks Derrick, by *M. G. Linsay*
M. Brooks Derrick
Att'n
with permission

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SC Court of Appeals



LINDSEY W. COOPER JR.

LWC@LWCOOPER.COM

September 19, 2017

VIA FEDEX

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

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SC Court of Appeals

Re: *Sea Island Food Group, LLC d/b/a Squeeze v. Yaschik Development Company, Inc.,
d/b/a Yaschik Enterprises, et al.,*
Case No. 2015-00-2187.

Dear Ms. Kitchings:

Enclosed please find an original and six (6) copies of a Motion for Leave to Remand the above-captioned matter. This is being filed on behalf of The Law Offices of M. Brooks Derrick.

Enclosed, please also find the Motion filing fee in the amount of \$25.00.

Please feel free to call the Office at 843-375-6622 with any questions.

Many thanks.

Sincerely,

Anna A. Hughes

MLA/aah

Enclosures: As stated.

cc: Charles Baker, III (via first-class mail and email)

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CHARLESTON, SC 29401
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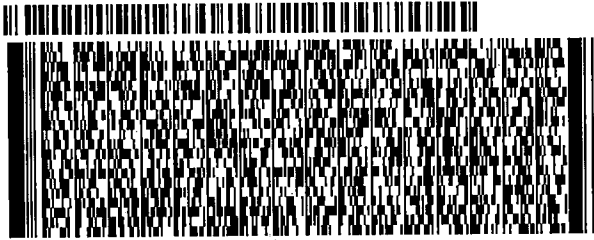
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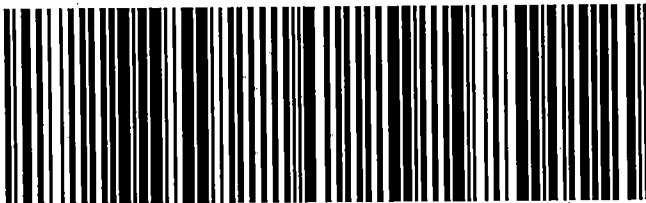
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