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October 16, 2017

RECEIVED
OCT 17 2017
SC Court of Appeals


V. Claire Allen, Deputy
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Builders Mutual Insurance Company v. Bob Wire Electric, Inc. etal.
Case No. 2015-002626

Dear Ms. Allen:

I write in response to your letter dated October 10, 2017 regarding the above-referenced action. The only conflict that I have at the present time is a trial scheduled to begin on February 12, 2018 which would take about two weeks. See attached Order.

Sincerely,


Pope D. Johnson, III

PDJIII/sww
Enclosures

cc: Richard C. Detwiler, Esquire

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) FIFTEENTH JUDICIAL CIRCUIT
 COUNTY OF GEORGETOWN) Civil Action No. 2016-CP-22-00181
)
 Daniel E. Cooper, Individually and d/b/a)
 Cooper Enterprises and D Coopers, LLC,)
)
 Plaintiff,)
)
 vs.) CONSENT ORDER
) OF REFERENCE
 Santee Electric Cooperative, Inc.,)
)
 Defendant.)

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The attorneys for the Plaintiff in this action, move before the Court for an Order of Reference referring the case to the Honorable Thomas W. Cooper, Jr., retired South Carolina Circuit Court Judge of Manning, SC, to try this case as well as hear all pre-trial and post-trial motions. Judge Cooper will have the authority to hear the case and rule with finality, with appeals to the Court of Appeals or the Supreme Court of South Carolina.

The Court, after reviewing the pleadings on the matter, determines that this case is appropriate for reference to the Honorable Thomas W. Cooper, Jr., retired South Carolina Circuit Court Judge at large. The Court finds that due to the complex issues of this matter and time requirements of a trial, this case is appropriate for resolution by the Honorable Thomas W. Cooper, Jr., South Carolina Circuit Court Judge at large for a non-jury trial in Georgetown, County, Fifteenth Judicial Circuit.

THEREFORE, it is hereby ordered and decreed that this matter be transferred to the jurisdiction of retired South Carolina Circuit Court Judge at large Thomas W. Cooper, Jr., for trial in Georgetown County, Fifteenth Judicial Circuit. The Clerk of Court for

Georgetown County is directed to transfer this matter to the docket of the Honorable Thomas W. Cooper, Jr., retired South Carolina Circuit Court Judge at large for scheduling of all dispositive motions and for a non-jury trial in Georgetown, South Carolina beginning February 12, 2018 for a two week term of court.

IT IS FURTHER ORDERED THAT the Order of Reference will be governed by the following rules or stipulations of the parties:

1. The proceedings will be governed by the Order of Reference applying such rules of SC Evidence and SC Rules of Civil Procedure as determined by the parties and the Court.
2. The following matters will be scheduled prior to trial:
 - a. Exchange of witness list for purposes of trial by January 5, 2018.
 - b. Exchange of exhibit list for purposes of trial by January 5, 2018.
 - c. Pretrial motions filed by January 24, 2018.
 - d. Pretrial briefs will be submitted by the parties, which will include comprehensive statements of fact, exhibits and other matters prescribed by Rule 16(B) SCRCF by February 2, 2018.
3. The parties will be bound by electronic mail or email of various documents, motions and exchange of exhibits and lists.
4. The parties have been engaged in discovery and will conclude all discovery, including disclosure of witnesses, depositions, requested materials and other such disclosures on or before December 1, 2017.

5. At the conclusion of the case, the parties will submit in Word format. Proposed orders which include findings of fact and conclusions of law to support the ultimate verdict in an amount to be determined by the Court. The proposed orders will be submitted to the Court on an agreed upon date following the trial.

6. The trial has been scheduled to commence at 10:00am, Monday, February 12, 2018, Georgetown County Courthouse in a courtroom to be designated by the Clerk of Court and shall continue daily until complete. It is anticipated that the case may last as long as two weeks.

7. The parties will be responsible to compensate Judge Cooper for his work, as well the court reporter, the costs thereof to be divided equally between the parties.

ACCORDINGLY, IT IS ORDERED AND ADJUDGED that the above captioned matter be referred subject to the terms and conditions set forth herein.

IT IS SO ORDERED THIS ____ DAY OF SEPTEMBER, 2017

The Honorable Larry B. Hyman Jr.
Chief Administrative Judge

I SO MOVE.

I CONSENT.

s/ W. E. Jenkinson
W. E. Jenkinson, III
Bar No: 2984
J. Thomas Thompson
Jenkinson, Jarret & Kellahan, PA
P.O. Box 669
Kingstree, SC 29556
(843)355-2000

s/ Pope D. Johnson, III
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Attorneys for the Plaintiff



Georgetown Common Pleas

Case Caption: Daniel E Cooper , plaintiff, et al VS Santee Electric Cooperative Inc
Case Number: 2016CP2200181
Type: Order/Referred to Master or Special Referee

So Ordered

s/ Larry B. Hyman 2152

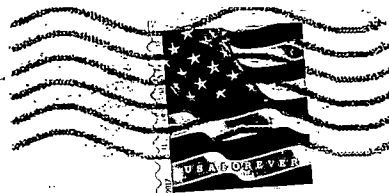
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