

# The South Carolina Court of Appeals

Ashley Corporate Center, LLC, a S.C. Limited Liability Company, as successor in title to T.R. Hampton Roads Corp., an Illinois Corporation, Respondent,

v.

Product Data Integration Technologies, Inc. d/b/a Modulant, Appellant.

Appellate Case No. 2011-196466

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## ORDER

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This case involves a landlord/tenant dispute arising out of a commercial lease. Prior to trial, the parties filed cross motions for summary judgment, both of which were denied on the grounds that there were material issues of fact. After a nonjury trial, the Court below entered judgment in favor of Plaintiff and against the Defendant. A primary issue in the case is whether the tenant is responsible for rent coming due after the landlord's termination of a commercial lease before the expiration of the lease term. That issue was vigorously contested at all stages of this litigation. The parties have resolved this matter by way of compromise and request that this appeal be dismissed and that the judgment of the trial court below be vacated. The parties have represented to the court that the tenant has moved back into the commercial property and has signed a new commercial lease with the landlord. Furthermore, the parties have settled all issues involved in the case and each has agreed to mutual releases. Appellant's counsel believes future litigation cannot occur over the previously litigated facts pursuant to the parties' agreement. This Court finds that the relief requested by the parties is appropriate.

IT IS HEREBY ORDERED that this appeal is dismissed. IT IS FURTHER ORDERED pursuant to Rule 261(d) of the South Carolina Appellate Court Rules, the May 20, 2011 Order of Judgment of the Honorable R. Markley Dennis, Jr., along with any judgment entered on the judgment roll, are vacated and the claims asserted in the lawsuit are dismissed with prejudice.

The clerk of the Charleston County Court of Common Pleas is directed to enter such order as are necessary to vacate the previously entered judgment.

IT IS SO ORDERED.

FOR THE COURT

BY *Jenny A. Kitchip*  
CLERK

Columbia, South Carolina

cc:

George Trenholm Walker  
William C. Cleveland

**FILED**  
10/11/2012 H.D.S.