

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity for the Circuit Court

Case No. 2017-001071

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OCT 30 2017

SC Court of Appeals

Coastalstates Bank,

Respondent,

v.

Hanover Homes of South
Carolina, LLC.; Hanover
Homes, Inc.; George Cosman,
Defendants,

Appellant,

George Cosman,

Third-Party Plaintiff,
Appellant,

v.


Phillip Petruzzelli,

Third-Party Defendant

CONSENT MOTION TO WITHDRAW APPEAL

The parties to the Appeal, Third Party Plaintiff, Appellant Cosman and Respondent Coastal States Bank respectfully move this Court, Pursuant to Rule 260(c) SCAR, for an Order granting the withdrawal of the Notice of Appeal filed on April 28, 2017 on the grounds that this case has settled. Each party agrees to bear its own costs and fees.

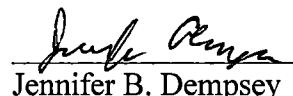
Signature on following page



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Luke Gleissner, Esquire
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***Attorneys for Third-Party Plaintiff,
Appellant***

 Jennifer B. Dempsey
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Bryan Cave
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*with express
permission
By Peter Protopapas*

Russell P. Patterson
Russell P. Patterson, PA
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Hilton Head, South Carolina 29938

Attorneys for Respondents

October 26, 2017

Lindsay Valek

From: Dempsey, Jennifer <Jennifer.Dempsey@BryanCave.com>
Sent: Thursday, October 26, 2017 1:09 PM
To: Peter Protopapas
Cc: Lindsay Valek; Rick@gleissnerlaw.com; Luke Gleissner; anissa
Subject: Re: CoastalStates Bank v. Cosman

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~~Yes, please sign on my behalf~~

Sent from my iPhone

On Oct 26, 2017, at 10:44 AM, Peter Protopapas <pdp@rplegalgroup.com> wrote:

Jennifer

Please review and advise if I can sign with your permission

Peter

From: Peter Protopapas
Sent: Thursday, October 26, 2017 9:21 AM
To: Lindsay Valek <Lindsay@rplegalgroup.com>
Cc: 'Dempsey, Jennifer' <Jennifer.Dempsey@BryanCave.com>; Rick@gleissnerlaw.com; 'Luke Gleissner' <luke@gleissnerlaw.com>; 'anissa' <anissa@gleissnerlaw.com>
Subject: FW: CoastalStates Bank v. Cosman

Lindsay

Can you put together a stipulation of dismissal for the court of appeals and send it to Jennifer Dempsey cc'd on this email.

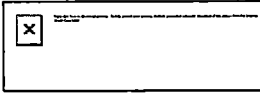
Jennifer

After you get the stipulation, please advise if I have your permission to sign your name.

Thanks Peter

From: Dempsey, Jennifer [<mailto:Jennifer.Dempsey@BryanCave.com>]
Sent: Wednesday, October 25, 2017 1:51 PM
To: Peter Protopapas <pdp@rplegalgroup.com>
Cc: Custer, Bill <Bill.Custer@BryanCave.com>; Rick@gleissnerlaw.com; Lindsay Valek <Lindsay@rplegalgroup.com>
Subject: RE: CoastalStates Bank v. Cosman

Peter/Rick – have you filed the stipulation to dismiss the appeal?



Jennifer Dempsey

Partner

jennifer.dempsey@bryancave.com T: +1 404 572 6985 M: +1 404 272 8283

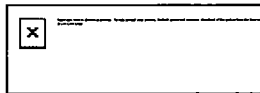
From: Peter Protopapas [<mailto:pdp@rplegalgroup.com>]
Sent: Wednesday, October 18, 2017 2:13 PM
To: Dempsey, Jennifer
Cc: Custer, Bill; Rick@gleissnerlaw.com; Lindsay Valek
Subject: RE: CoastalStates Bank v. Cosman

Attached is Cosman's executed page

From: Dempsey, Jennifer [<mailto:Jennifer.Dempsey@BryanCave.com>]
Sent: Wednesday, October 18, 2017 9:10 AM
To: Peter Protopapas <pdp@rplegalgroup.com>
Cc: Custer, Bill <Bill.Custer@BryanCave.com>; Rick@gleissnerlaw.com
Subject: RE: CoastalStates Bank v. Cosman

Peter,

Attached is the Bank's executed signature page.



Jennifer Dempsey

Partner

jennifer.dempsey@bryancave.com T: +1 404 572 6985 M: +1 404 272 8283

This electronic message is from a law firm. It may contain confidential or privileged information. If you received this transmission in error, please reply to the sender to advise of the error and delete this transmission and any attachments.
bcllp2017

<Consent Motion to Withdraw Appeal.doc>



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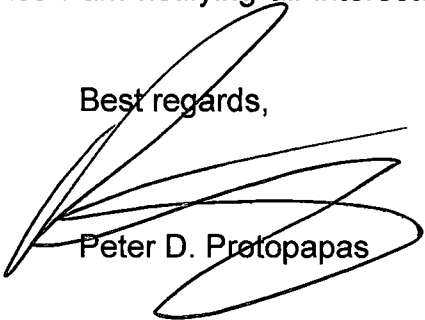
The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

**RE: Coastal States Bank v. Hannover Homes of South Carolina, LLC, et al
Civil Action No.: 2011-CP-07-5059**

Dear Ms. Kitchings:

Enclosed for filing please find the original and six (6) copies of the parties Consent Motion to Withdraw Appeal in the above referenced matter. I am including e-mail correspondence from Respondent's counsel, Jennifer Dempsey, acknowledging her permission to sign this document on her behalf. Upon filing, please return one (1) copy of this document to my office in the pre-paid envelope provided. I greatly appreciate your assistance in this matter and please don't hesitate to contact me should you have any questions. By copy of this correspondence I am notifying all interested parties of my communication with the Court.

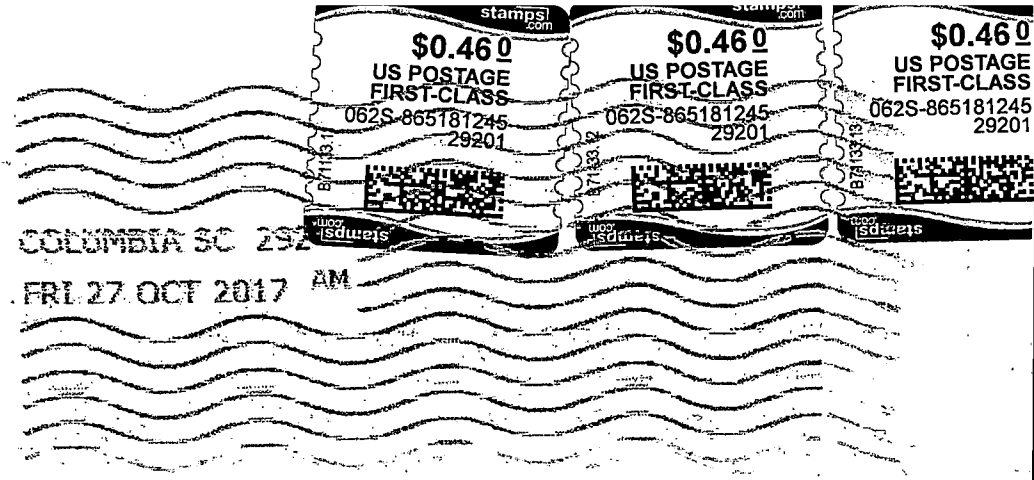
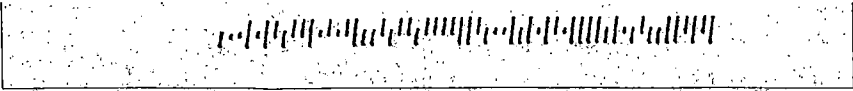
Best regards,



Peter D. Protopapas

PDP/lhv
Encls.

cc: Rick Gleissner, Esq.
Russell Patterson, Esq.
Jennifer B. Dempsey, Esq.



Rikard & Protopapas, LLC

Attorneys and Counselors at Law

Post Office Box 5640
Columbia, South Carolina 29250

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The Honorable Jenny Abbott Kitchings
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