

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)
)
Edward Pugh,)
)
Plaintiff,)
)
vs.)
)
CB&I AREVA MOX Services, LLC)
and Globalpundits Technology)
Consultancy, LLC)
)
Defendants.)

COURT OF COMMON PLEAS
Civil Action No: 2015-CP-02-02389

**ORDER GRANTING DEFENDANTS'
MOTION TO COMPEL PLAINTIFF
TO COMPLY WITH ORDER
ENFORCING WRITTEN AGREEMENT**

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SC Court of Appeals

This matter comes before me on Defendants' Motion to Compel Plaintiff to Comply with my prior Order regarding the enforcement of a Written Agreement ("Agreement to Settle") reached by the parties following mediation on September 30, 2016. In that Order, filed March 2, 2017, the Court found the Department of Energy (DOE) and the National Nuclear Security Administration (NNSA) should not be included as "Released Parties" in a comprehensive settlement agreement. However, the Court only denied Defendants' Motion "as to any parties other than those named in the complaint." Pursuant to the March 2, 2017 Order, Plaintiff was obligated to execute a comprehensive settlement agreement with the parties named in the complaint. Plaintiff has not filed any motion to have this Order reconsidered.¹

Following the Court's Order, Defendants attempted to have Plaintiff execute an appropriate comprehensive settlement agreement on several occasions. Plaintiff rejected these efforts, and Defendants filed the instant Motion to compel Plaintiff's compliance on June 2, 2017. The Court

¹ To the extent Plaintiff's Motion to Declare Settlement Null, Void, Non-Binding filed on July 3, 2017, could be considered a Motion to Alter or Amend the March 2, 2017 Order, the Motion is denied. See Rule 59(e), SCRPC ("A motion to alter or amend the judgment shall be served not later than 10 days after receipt of written notice of the entry of the order).

now grants Defendants' Motion and compels Plaintiff to comply with its March 2, 2017 Order by executing a final settlement agreement with Defendants in accordance with the express terms of the September 30, 2016 "Agreement to Settle."

Due to the Court's disposition of the foregoing Motions, it unnecessary to address any outstanding motions, including: (1) Defendants' Motion for a Protective Order filed June 2, 2017; and (2) Plaintiff's Motion for Continuance filed July 3, 2017. The Clerk of Court is directed to remove this matter from the Jury Trial roster.

IT IS SO ORDERED.

Doyet A. Early, III
Circuit Court Judge, Second Judicial Circuit

Dated this ____ day of August 2017.



Aiken Common Pleas

Case Caption: Edward Pugh VS CB&I AREVA MOX Services LLC , defendant,
et al
Case Number: 2015CP0202389
Type: Order/Other

So Ordered

s/D.A. Early III 2136

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