

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF GREENVILLE )  
 )  
 Controls for Automation, Inc., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Digital Management Solutions, )  
 Inc., Communication Concepts, )  
 Inc., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
 FOR THE THIRTEENTH JUDICIAL CIRCUIT

C/A No.: 2015-CP-23-04535

ENTERED COMPUTER

ORDER COMPELLING SETTLEMENT

**RECEIVED**

DEC 08 2017

SC Court of Appeals

FILED IN COURT  
 GREENVILLE CO., S.C.  
 PAUL N. WICKENSIMMER  
 2016 NOV 18 PM 9 50  
*JW*

THIS MATTER CAME BEFORE THE UNDERSIGNED on Motion of the Plaintiff, Controls for Automation, Inc. Plaintiff's motion seeks to compel a settlement agreement between the parties filed with the Court on April 14, 2016. Present at the hearing were Ian McVey, counsel for the Plaintiff, Burl Williams, counsel for CCI, and Mitchell Byrd, counsel for DMS. DMS joined in Plaintiff's Motion.

Under the terms of the Settlement Agreement, Digital Management Solutions, Inc. ("DMS") agreed to ship immediately one trailer for which Communication Concepts, Inc. ("CCI") had already paid. The parties stipulated that DMS had complied with this provision of the Settlement Agreement and CCI took delivery of the first trailer on May 2, 2016.

Thereafter, CCI was, within forty-five (45) days of shipment of the first trailer, to purchase, pay for and take delivery of at least one more trailer if not more. CCI has failed to comply with this provision of the Settlement Agreement. The Settlement Agreement likewise provides that CCI will purchase all of the remaining trailers within one hundred twenty (120)

*Bill*  
*PI*

SCANNED

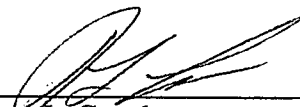
days of delivery of the first trailer to CCI in Florida. This time has likewise run, and CCI has not taken delivery of nor paid for the remaining trailers.

The Settlement Agreement complies with Rule 43(k), SCRCF, in that it is signed by the parties as well as by counsel. It was filed with the Court. Therefore, I find it is compellable.

THEREFORE, IT IS ORDERED that the parties shall comply with the terms of the Settlement Agreement within thirty (30) days of the date of the entry of this order with all trailers and funds having been delivered pursuant to the Settlement Agreement by that time.

IT IS SO ORDERED.

10/24 RLC  
September \_\_\_\_, 2016  
Spartanburg, South Carolina

  
\_\_\_\_\_  
Roger L. Couch  
Presiding Judge

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE  
CASE NO: 2015CP2304535

**Controls For Automation Inc vs. Digital Management Solutions Inc**

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  
SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Rule 12(b), SCRPC;  Rule 41, SCRPC;  Other: \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):**  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other: \_\_\_\_\_  
 Rule 40(j) SCRPC;  Bankruptcy;
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other: \_\_\_\_\_

FILED  
CIRCUIT COURT  
GREENVILLE CO. S.C.  
PAUL B. WICKENSIMER  
2016 NOV 18 AM 9:50

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order;  Statement of Judgment by the Court:  
Dated at Greenville, South Carolina, this .

Court Reporter:

\_\_\_\_\_  
PRESIDING JUDGE - Roger L Couch

This judgment was entered on the , and a copy mailed first class this , to attorneys of record or to parties (when appearing pro se) as follows:

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\_\_\_\_\_  
ATTORNEY(S) FOR THE PLAINTIFF(S)

\_\_\_\_\_  
ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer Greenville County Clerk Of Court  
- Clerk of Court

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