

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
Churchill Park,

Plaintiff,

v.

Alan G. Nix and Estate of Norma J. Nix,

Defendants.

IN THE COURT OF COMMON PLEAS
THE NINTH JUDICIAL CIRCUIT

CASE NO.: 2017-CP-10-04031

ORDER

RECEIVED

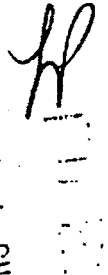
JAN 11 2018

SC Court of Appeals

BY _____

CLERK OF COURT

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This Matter came before the Court for hearing on November 29, 2017 on several pending motions. After carefully considering the filings and arguments of all parties, the Court determines as follows:

1. Plaintiff's Motion to Quash all post-trial subpoenas and discovery: The Motion to Quash is GRANTED. All post-trial subpoenas are quashed and defendant Alan Nix will immediately notify anyone served with such a subpoena of this Order and that no documents need to be produced. Mr. Nix will further cease from undertaking any other post-trial discovery, including serving any more subpoenas, absent obtaining written approval from an attorney, acting as a gatekeeper, that such subpoenas or discovery are proper. This includes Case No. 2014-CP-10-5407, which is the identical case to that captioned above, and includes any *lis pendens* pending that are associated with either case number.

2. Defendant Alan Nix's Motion for Directed Verdict: This Motion, filed November 14, 2017, is untimely, as the Defendant did not make any motion at either the close of Plaintiff's case-in-chief or the close of all evidence at the trial. Therefore, the Motion is DENIED.

3. Defendant Alan Nix's Motion for Reconsideration: Orders Dated September 29, 2017 and October 31, 2017: This Motion, filed November 15, 2017, seeks a reconsideration of

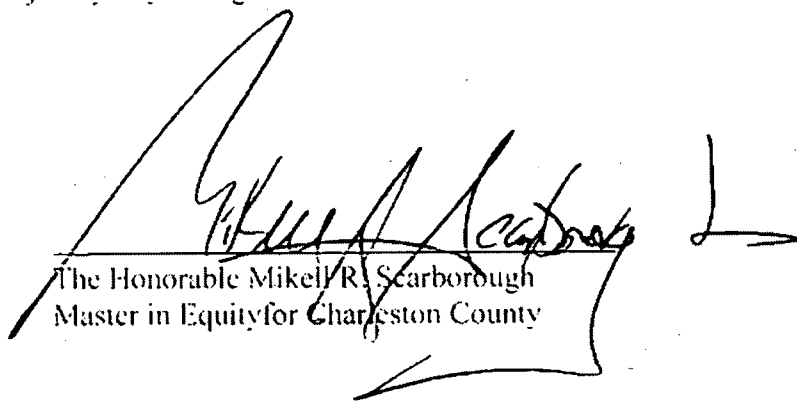


the Court's prior denial of a prior reconsideration motion concerning rulings on pretrial motions. The issues having already been the subject of one Motion for Reconsideration, the Motion is improper and is hereby DENIED.

4. Defendant Alan Nix's Motion to Alter or Amend November 9, 2017 Order or for New Trial: This Motion, filed November 22, 2017, was heard while all parties were otherwise present and after Plaintiff's waiver of the ten-day notice period for hearings. The Court finds nothing in the Motion or argument to justify any change to the November 9, 2017 Order. The Motion is DENIED.

SO ORDERED.

12/1, 2017
Charleston, South Carolina


The Honorable Mikell R. Scarborough
Master in Equity for Charleston County