

The South Carolina Court of Appeals

South Carolina Insurance Reserve Fund, Respondent,

v.

East Richland County Public Service District and Coley
Brown, Defendants,

Of whom East Richland County Public Service District is
the Appellant,

And Coley Brown is a Respondent.

Appellate Case Nos. 2016-001932
2014-000728

RECOMMENDATION

On March 23, 2016, the Court of Appeals filed its opinion affirming the declaration of the circuit court. *See E. Richland Cty. Pub. Serv. Dist. v. S.C. Ins. Reserve Fund*, 417 S.C. 149, 789 S.E.2d 63 (Ct. App. 2016). The Supreme Court subsequently granted East Richland County Public Service District's petition for a writ of certiorari.

The parties have now reached a settlement and filed a joint motion to dismiss this case; however, the settlement is conditioned upon the vacation of the Court of Appeals' opinion.

The Supreme Court has asked that this court make a recommendation regarding the parties' request for vacation of the opinion. Recognizing our State's "strong public

policy favoring the settlement of disputes,"¹ we recommend that the Supreme Court grant the request to withdraw and vacate Opinion Number 5393.

Paul G. Short, Jr J.
John D. Beatties J.
Stephen P. McDonald J.

Columbia, South Carolina

cc:

Andrew F. Lindemann, Esquire
Kenneth Emanuel Berger, Esquire
Scott A. Elliott, Esquire
The Honorable Alison Renee Lee

¹ *Riley v. Ford Motor Co.*, 414 S.C. 185, 196, 777 S.E.2d 824, 830 (2015) (quoting *Chester v. S.C. Dep't of Pub. Safety*, 388 S.C. 343, 346, 698 S.E.2d 559, 560 (2010)).