

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

Cleo Sanders,

Plaintiff,

vs.

Savannah Highway Automotive Co., a  
General Partnership d/b/a Rick Hendrick  
Dodge Chrysler Jeep Ram, Santander  
Consumer USA Holdings, Inc., Isiah S.  
White, Danny Anderson, and Patrick  
Bachrodt, Jr.,

Defendants.

IN THE COURT OF COMMON PLEAS  
NINTH JUDICIAL CIRCUIT

C/A#: 2017-CP-10-02148

**ORDER GRANTING PLAINTIFF'S  
MOTION TO COMPEL**

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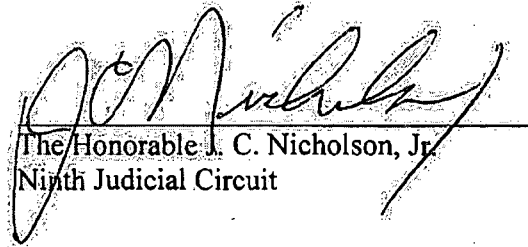
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This matter is before the Court on Plaintiff's Motion to Compel Defendant Savannah Highway Automotive Company, a General Partnership d/b/a Rick Hendrick Dodge Chrysler Jeep Ram (Hendrick) to respond to Plaintiff's Interrogatories and Request for Production, which were served on Hendrick on July 21, 2017. On January 9, 2018, a hearing was held at which time Plaintiff was represented by C. Steve Moskos, Esquire and Hendrick was represented by Alice Price Adams, Esquire.

At the motion hearing, Hendrick submitted it had not responded to discovery so as not to waive its position that the matter was subject to arbitration. Plaintiff had previously asserted that Hendrick's participation in discovery waived its right to compel and/or participate in arbitration. Further, Hendrick requested that in the event the Court compelled it to respond to discovery, that it be afforded the opportunity to object to specific discovery requests in light of the basis for its concern for waiving its position regarding arbitration. However, this Court previously denied Hendrick's Motion to Compel Arbitration.

Based upon the foregoing, it is ordered that Hendrick respond to Plaintiff's Interrogatories and Requests to Produce within 30 days of this hearing date. Further, Defendants, except Rick Hendrick, shall not waive its position regarding its right to compel and/or participate in arbitration by responding to said discovery. Further, this Order shall not preclude Hendrick from raising appropriate objections to specific discovery requests as permitted by law and the South Carolina Rules of Civil Procedure.

AND IT IS SO ORDERED.



The Honorable J. C. Nicholson, Jr.  
Ninth Judicial Circuit

Charleston, South Carolina  
February 16, 2018

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C. Steven Moksos  
C. Steven Moskos, P. A  
4000 Faber Place Dr., Ste. 300  
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