

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge
Case No. 2008-CP-23-5739
Appellate Case No.: 2017-000690

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FEB 23 2018
SC Court of Appeals

Andrew P. (Andy) Ballard, Respondent,

v.

Tim Roberson, Rick Thoennes, Rick Thoennes III, and Warpath Development, Inc., Defendants,

Of whom Tim Roberson is Appellant.

**SUPPLEMENTAL
RECORD ON APPEAL**

Joshua L. Howard (SC Bar No.: 70260)
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Attorney for Petitioners Rick Thoennes and Rick Thoennes, III

SUPPLEMENTAL INDEX

Orders

Missing Page 8 to
Order of Judgment filed October 3, 20131
(Should follow Page 22 of Record on Appeal – Volume I)

Correct Order (S.C. Sup. Ct.) filed November 19, 20152
(Replaces Order at Page 50 of Record on Appeal – Volume I)

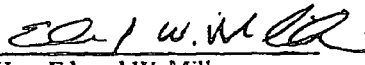
Certificate of Appellant 4

them additional time to buy out Mr. Ballard under a structured payment arrangement, including provisions for interest, security, and remedies on default, will simply end up in further litigation.

Therefore, it is hereby ordered and decreed that defendants pay the plaintiff \$3,589,297 within 90 days of the date of entry of this Order, and judgment in this amount is hereby entered for the plaintiff against the defendants jointly and severally. Upon receipt of such payment, the plaintiff shall relinquish his shares of stock in Warpath Development, Inc., to the defendants, and the judgment shall be satisfied.

It is so ordered.

Dated: 10/2, 2013
Greenville, SC


Hon. Edward W. Miller
Judge, South Carolina Circuit Court

A Certified Copy
Paul B. Wiseman
Clerk of Court C.P. & G.S.
Greenville County, SC
Dated 10/3/13

The Supreme Court of South Carolina

Andrew P. (Andy) Ballard, Respondent,

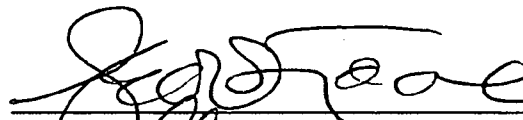
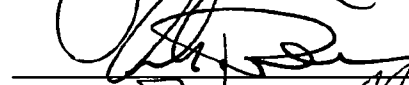

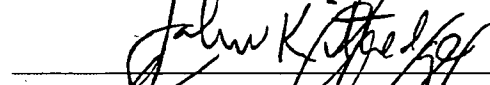
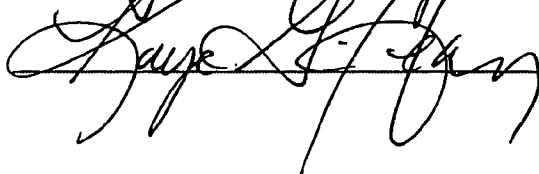
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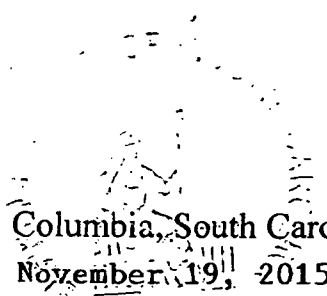
Tim Roberson, Rick Thoennes, Rick Thoennes III, and
Warpath Development, Inc., Petitioners.

Appellate Case No. 2015-002036

ORDER

Petitioners move for an extension of time to serve and file a petition for a writ of certiorari pursuant to Rule 242, SCACR, or in the alternative, for the time limits for serving and filing a petition to be held in abeyance pending a decision by the Court of Appeals on petitioners' second petition for rehearing and suggestion for rehearing en banc. Respondent has filed a return in opposition to the motion, to which petitioners have filed a reply. We deny petitioners' request to hold the time limits for filing a petition for a writ of certiorari in abeyance, as we find petitioners' second petition for rehearing improper. However, we grant petitioners a twenty day extension of time, which shall run from the date of this order, to serve and file a petition for a writ of certiorari to the Court of Appeals and an accompanying appendix.


_____ C.J.

_____ J.

_____ J.

_____ J.

_____ J.



Columbia, South Carolina

November 19, 2015

cc:

The Honorable Jenny Abbott Kitchings

Wallace K. Lightsey, Esquire

Joshua L. Howard, Esquire

The Honorable Paul B. Wickensimer

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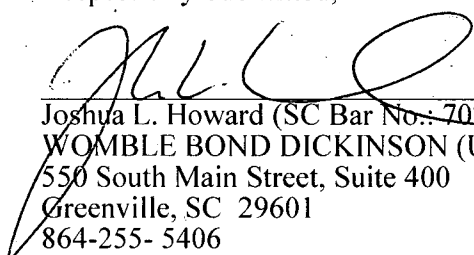
Tim Roberson, Rick Thoennes, Rick Thoennes, III,
and Warpath Development, Inc., is Petitioners,

Of Whom Tim Robertson is Appellant.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the documents for the Supplemental Record on Appeal are the correct documents and contains all material proposed to be included by any of the parties and not any other material. All counsel of record has given their consent to the Supplemental Record on Appeal and the corrected documents to be supplemented.

Respectfully Submitted,



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This 20th day of February, 2018
Greenville, South Carolina