



# The South Carolina Court of Appeals

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March 21, 2018

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The Honorable Paul B. Wickensimer  
Courthouse  
305 E North St  
Greenville SC 29601-2121

MAR 27 PM 4:05  
RECEIVED  
CLERK OF COURT  
COURT OF APPEALS  
COLUMBIA, SOUTH CAROLINA

## REMITTITUR

Re: William Tomz v. Capital Investment Funding, LLC  
Lower Court Case No. 2008CP2303665  
Appellate Case No. 2013-002676

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Bradford Neal Martin, Esquire  
Laura Wilcox Howle Teer, Esquire  
Evan Brook Bristow, Esquire  
George Brandt, III, Esquire  
Stanley T. Case, Esquire

# The South Carolina Court of Appeals

William F. Tomz and Francis W. Tomz, Individually and as Class  
Representatives, Respondents,

v.

Capital Investment Funding, LLC, and Arthur M. Field,  
Defendants,


Of Whom Arthur M. Field is the Appellant,

And Capital Investment Funding, LLC, is a Respondent.

Appellate Case No. 2013-002676

## ORDER

The Court held this case in abeyance to allow the parties time to pursue approval of the global settlement agreement. Our records reflect the circuit court approved the global settlement agreement on December 1, 2017. The terms of the global settlement agreement "settles all matters, claims[,] and litigation recited therein between and among the parties to the agreement, "and "also resolves matters pending in this case," including the April 1, 2013, August 19, 2013, and October 1, 2013 orders and rules to show cause; any subsequent rulings; and the pending appeal before this Court (Appellate Case No. 2013-002676). Accordingly, because the approved global settlement agreement and addendum "settles with prejudice all claims of every kind and nature which were raised or could have been raised," without objection, this appeal is dismissed. The remittitur will be sent pursuant to Rule 221(b) of the South Carolina Appellate Court Rules.

 J.  
FOR THE COURT

Columbia, South Carolina

cc: Bradford Neal Martin, Esquire  
Laura Wilcox Howle Teer, Esquire  
Evan Brook Bristow, Esquire  
George Brandt, III, Esquire  
Stanley T. Case, Esquire  
The Honorable Edward W. Miller

FILED

March 5, 2018

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF GREENVILLE )  
 )  
 William F. Tomz and Francis W. Tomz, )  
 Individually and as Class Representatives, )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 Capital Investment Funding, LLC and )  
 Arthur M. Field, )  
 )  
 Defendants. )  
 )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS

Civil Action No. 2008-CP-23-03665

NOTICE OF RECONVENED HEARING  
SCHEDULE FOR JULY 2, 2018  
AT 10:30 A.M.

TO: MICAJAH P. CASKEY, IV, ESQ., Attorney for Arthur M. Field; THOMAS STEPHENSON, ESQ., Attorney for Kathryn Taillon; and BRUCE BANNISTER, ESQ., attorney for Allyson Field

PLEASE TAKE NOTICE that a RECONVENED HEARING is scheduled and will be held in the above referenced matter before The Honorable Edward W. Miller on July 2, 2018 beginning at 10:30 a.m. at the Greenville County Courthouse, 305 E. North Street, Greenville, SC 29601 in Courtroom 8, at which time the Court will hearing all pending matters in this case, specifically including all outstanding issues pertaining to the compliance of Allyson Field, Kathryn Tallon and Arthur Field with the terms of the Global Settlement Agreement.

NOTICE GIVEN THIS 26<sup>TH</sup> DAY OF JUNE, 2018.

Respectfully submitted,

BUTLER, MEANS, EVINS & BROWNE, PA

HENDERSON, BRANDT & VIETH, P.A.

By: /s/ Stanley T. Case  
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 Co-Counsel for the certified Class of Plaintiffs

By: /s/ George Brandt, III  
 George Brandt, III, SC Bar No. 00855  
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 Attorney for Jerry Saad, CPA, Court  
 Appointed Receiver for Capital  
 Investment Funding, LLC