

88810

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
APPEAL FROM CALHOUN COUNTY
Edgar W. Dickson, Circuit Court Judge

RECEIVED
JAN 16 2019
SC Court of Appeals

Case No.: 2018-002177

G. Wayne Lorick, Michael W. Shuler, Dahl C. Shuler, Frederick H. Stabler, Jr., Tom L. Doyle, Jr., Sky Strickland, and Vertrelle Pondexter-Jamison, individually and as Representatives of others similarly situated and as representatives of Tri-County Electric Cooperative, Inc.,
..... Respondents,

Of whom Objector Roy C. Smith is the Appellant,

v.

Tri-County Electric Cooperative, Inc., Heath Hill, Maurice P. Etheridge, Jr. W. Kenneth Davis, Jr., F. Douglas Shuler, Jr., Barbara R. Heape, and Mary A.W. Brown, individually and in their official capacity as current members of the Tri-County Electric Cooperative, Inc. Board of Trustees and Officers of Tri-County Electric Cooperative, Inc.

..... Respondents.

Of whom Objector Roy C. Smith is Appellant

MOTION TO ALLOW LATE ORDERING OF TRANSCRIPT

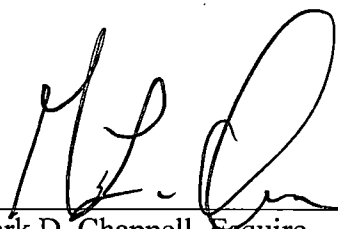
Pursuant to correspondence received from the Clerk of the South Carolina Court of Appeals, dated January 14, 2019, the Clerk has required that the appellant file a motion to allow the late ordering of the transcript pertaining to this appeal. Grounds for this motion are as follows:

- The notice of appeal in this case was filed on December 10, 2018.
- Because the hearing giving rise to the transcript was scheduled specially, the identity of the court reporter was not available via the online terms of court calendar.
- Immediately after the Christmas holidays, the trial judge's office assisted appellant's counsel in identifying the correct court reporter.
- On January 3, 2019, the transcript was ordered. See Exhibit A.

- Notice of the ordering of the transcript was provided to the Court of Appeals and all opposing counsel on January 8, 2019. See Exhibit B.
- Notice of the ordering of the transcript was not provided to the Office of Court Administration, but that oversight has been remedied as of today. See Exhibit C.
- Appellant received the transcript on January 10, 2019.

For the reasons stated herein, Appellant moves to allow late ordering of the transcript.

January 16, 2018


 Mark D. Chappell, Esquire
 Graham L. Newman, Esquire
 Mark D. Chappell, Jr., Esquire
 CHAPPELL, SMITH & ARDEN, P.A.
 2801 Devine Street, Suite 300
 Columbia, South Carolina 29205
 (803) 929-3600

Attorneys for Appellant-Objector Roy C. Smith

OTHER ATTORNEYS OF RECORD:

Celeste T. Jones
 Bradley S. Wright
 MCNAIR LAW FIRM, P.A.
 P.O. Box 11390
 Columbia, SC 29211
 (803) 799-9800

C. Bradley Hutto
 WILLIAMS & WILLIAMS
 P.O. Box 1084
 Orangeburg, SC 29115
 (803) 534-5218

Attorneys for Plaintiff-Respondents Lorick, M. Shuler, D. Shuler, Stabler, Doyle, Strickland, and Pondexter-Jamison

J. David Black
 NEXSEN PRUET, LLC
 P.O. Box 2426
 Columbia, SC 29202
 (803) 771-8900

Attorney for Defendant-Respondent Tri-County Electric Cooperative, Inc.

John M. Mahon, Jr.
LAW FIRM OF JOHN M. MAHON, JR.
1420 Wellington Drive
Columbia, South Carolina 29204
(803) 331-3735

Hugh B. McNatt
T. Joshua R. Archer
M. Anne Kaufold-Wiggins
Tyler P. Bishop
BALCH & BINGHAM, LLP
30 Ivan Allen, Jr. Boulevard, NW #700
Atlanta, Georgia 30308
(404) 261-6020

Attorneys for Defendant Respondents Hill, Etheridge, Davis, Shuler, Heape, and Brown

Part of the



Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

CHAPPELL SMITH & ARDEN, P.A.

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

January 3, 2019

Via Email sjohnson@sccourts.org

Stacy S. Johnson
125 Firebridge Drive
Chapin, SC 29036

RE: Lorick et al v. Tri-Count Electric Cooperative, Inc. et
Civil Action No.: 2018CP0900083

Dear Ms. Johnson:

We represent Roy Smith, an Objector in the above-referenced matter. On October 23, 2018 there was a settlement hearing held before Judge Dickson. We would like to request a copy of this transcript expedited.

Please do not hesitate to contact me or Graham Newman directly if you have any questions or concerns.

Yours truly,

Bonnie L. Sluce
Paralegal to W. Hugh McAngus, Jr.
and Graham Newman,
bsluc@csa-law.com

/bls





Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

CHAPPELL SMITH & ARDEN, P.A.

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

January 8, 2019

South Carolina Court of Appeals
1015 Sumter St #5
Columbia, SC 29201

Re: G. Wayne Lorick vs. Tri-County Electric (Roy C. Smith)
Appellate Case NO. 2018-002177

Dear Sir or Madam:

With regard to the above-referenced matter, enclosed please find a copy of the letter to the court reporter requesting the transcript of the hearing. I have cc'd all counsel of record on this file.

Please do not hesitate to contact me or Graham Newman directly if you have any questions or concerns.

Yours truly,

Bonnie L. Sluce
Paralegal to W. Hugh McAngus, Jr.
and Graham Newman
bsluc@csa-law.com

/bls
Enclosure
cc. All Counsel of Record



Part of the



Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

CHAPPELL SMITH & ARDEN, P.A.

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

January 3, 2019

Via Email sjohnson@sccourts.org

Stacy S. Johnson
125 Firebridge Drive
Chapin, SC 29036

RE: Lorick et al v. Tri-Count Electric Cooperative, Inc. et
Civil Action No.: 2018CP0900083

Dear Ms. Johnson:

We represent Roy Smith, an Objector in the above-referenced matter. On October 23, 2018 there was a settlement hearing held before Judge Dickson. We would like to request a copy of this transcript **expedited**.

Please do not hesitate to contact me or Graham Newman directly if you have any questions or concerns.

Yours truly,

Bonnie L. Sluce
Paralegal to W. Hugh McAngus, Jr.
and Graham Newman,
bsluc@csa-law.com

/bls



Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

CHAPPELL SMITH & ARDEN, P.A.

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

January 16, 2019

Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

Re: G. Wayne Lorick vs. Tri-County Electric (Roy C. Smith)
Appellate Case NO. 2018-002177

Dear Sir or Madam:

With regard to the above-referenced matter, enclosed please find a copy of the letter to the court reporter requesting the transcript of the hearing. I have cc'd all counsel of record on this file.

Please do not hesitate to contact me or Graham Newman directly if you have any questions or concerns.

Yours truly,

Bonnie L. Sluce
Paralegal to W. Hugh McAngus, Jr.
and Graham Newman
bsluc@csa-law.com

/bls

Enclosure

cc. All Counsel of Record



Part of the



Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

CHAPPELL SMITH & ARDEN, P.A.

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

January 3, 2019

Via Email sjohnson@sccourts.org

Stacy S. Johnson
125 Firebridge Drive
Chapin, SC 29036

RE: Lorick et al v. Tri-Count Electric Cooperative, Inc. et
Civil Action No.: 2018CP0900083

Dear Ms. Johnson:

We represent Roy Smith, an Objector in the above-referenced matter. On October 23, 2018 there was a settlement hearing held before Judge Dickson. We would like to request a copy of this transcript expedited.

Please do not hesitate to contact me or Graham Newman directly if you have any questions or concerns.

Yours truly,

Bonnie L. Sluce
Paralegal to W. Hugh McAngus, Jr.
and Graham Newman,
bslucce@csa-law.com

/bls

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CALHOUN COUNTY
Edgar W. Dickson, Circuit Court Judge

RECEIVED
JAN 16 2019
SC Court of Appeals

Case No.: 2018-002177

G. Wayne Lorick, Michael W. Shuler, Dahl C. Shuler, Frederick H. Stabler, Jr., Tom L. Doyle, Jr., Sky Strickland, and Vertelle Pondexter-Jamison, individually and as Representatives of others similarly situated and as representatives of Tri-County Electric Cooperative, Inc.,

..... Respondents,

v.

Tri-County Electric Cooperative, Inc., Heath Hill, Maurice P. Etheridge, Jr. W. Kenneth Davis, Jr., F. Douglas Shuler, Jr., Barbara R. Heape, and Mary A.W. Brown, individually and in their official capacity as current members of the Tri-County Electric Cooperative, Inc. Board of Trustees and Officers of Tri-County Electric Cooperative, Inc.

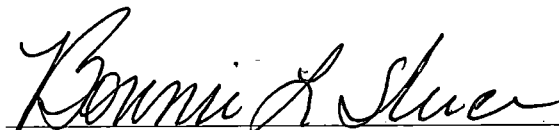
..... Respondents.

Of whom Objector Roy C. Smith is Appellant,

PROOF OF SERVICE

I, Bonnie L. Sluce, certify that I have served all counsel-of-record in this case with the Motion to Allow Late Order of Transcript by placing a copy into the U.S. Mail to each attorney at his or her last known address.

January 1, 2019


Bonnie L. Sluce



Licensed to practice
in South Carolina,
North Carolina,
Georgia and the
District of Columbia

CHAPPELL SMITH & ARDEN, P.A.

PO Box 12330
Columbia, SC 29211
803.929.3600
Fax 803.929.3604
800.531.9780

www.CSA-LAW.com

January 16, 2019

Via Hand Delivery

South Carolina Court of Appeals
1015 Sumter St #5
Columbia, SC 29201

RECEIVED
JAN 16 2019
SC Court of Appeals

Re: G. Wayne Lorick vs. Tri-County Electric (Roy C. Smith)
Appellate Case NO. 2018-002177

Dear Sir or Madam:

With regard to the above-referenced matter, enclosed please find an original and six copies of a Motion to Allow Late Order of Transcript.

Please do not hesitate to contact me or Graham Newman directly if you have any questions or concerns.

Yours truly,

Bonnie L. Sluce
Paralegal to W. Hugh McAngus, Jr.
and Graham Newman
bsluc@csa-law.com

/bls
Enclosure
cc. All Counsel of Record