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**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

APPEAL FROM AIKEN COUNTY  
The Honorable Doyet A. Early, III, Circuit Court Judge

**RECEIVED**  
FEB 07 2019  
SC Court of Appeals

Case No. 2016-CP-02-02339  
Appellate Case No. 2018-001039

University of South Carolina Aiken, Plaintiff,

v.

University Housing Services, Inc., HG Reynolds Company, Inc., Southern Wall Systems, Inc.,  
McElroy Specialty Interiors, Inc., Croft Hill Siding Inc., East Coast Painting, Inc., and John Does  
1 through 3, Defendants,

-----and-----

H.G. Reynolds Co., Inc., Third-Party Plaintiff,

v.

William Bell, Bell Siding and Roofing, William Bell d/b/a Bell Siding & Roofing a/k/a Bell  
Siding and Roofing, LLC, Third-Party Defendants,

-----of which-----

University Housing Services, Inc., and  
H.G. Reynolds Company, Inc. are .....Appellants,

and

University of South Carolina Aiken is .....Respondent.

**CONSENT MOTION AND AGREEMENT TO HOLD IN ABEYANCE  
UNTIL MARCH 8, 2019.  
RULE 261, SCACR**

COME NOW JOINTLY the above-named Appellants and Respondent (the Parties) pursuant to Rules 261 and 240 of the South Carolina Appellate Court Rules, who consent and move this Honorable Court for an Order holding this appeal in abeyance until March 8, 2019, a period of thirty (30) days, to allow the Parties time to reach a settlement of the issue(s) pending before this Court. In support of this motion the Parties jointly state as follows:

THAT the Parties are negotiating a settlement to resolve the issue(s) pending before this Court; and

THAT the Parties request to be provided until March 8, 2019, a period of thirty (30) days, to continue negotiating and attempt to reach an agreement; and

THAT on or before March 8, 2019, the Parties will notify this Court in writing that the issue(s) pending before this Court have been resolved by agreement; and

THAT if the Parties are unable to reach an agreement by March 8, 2019, this matter will resume its normal schedule and briefing will continue with the Respondent's Brief being due thirty (30) days thereafter.

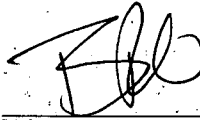
THEREFORE, for good cause shown and to facilitate potential settlement of the issue(s) pending before this Court, the Parties jointly request this Court hold the instant matter in abeyance until March 8, 2019, as set forth above.

Respectfully submitted, this 6<sup>th</sup> day of February 2019.

[execution pages to follow]

FOR RESPONDENT,  
WE SO MOVE AND CONSENT:

*With express  
permission*



---

THURMOND KIRCHNER & TIMBES, P.A.  
Jesse Kirchner, SC Bar No. 70479  
Michael A. Timbes, SC Bar No. 69730  
Thomas J. Rode, SC Bar No. 77480  
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Charleston, SC 29401  
Phone: 843-937-8000  
Fax: 843-937-4200

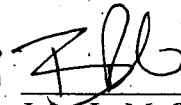
-and-

ALFORD & THORESON, LLC  
Gregory M. Alford (6932)  
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-and-

CAPELL LAW FIRM, LLC  
Glynn L. Capell (16552)  
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*All for the Respondent*

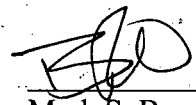
FOR APPELLANT UNIVERSITY HOUSING SERVICES, INC.,  
WE SO MOVE AND CONSENT:

*With express  
permission* 

---

John L. McCants, Esquire  
Rogers Lewis Jackson Mann and Quinn, LLC  
P.O. Box 11803  
Columbia, SC 29201  
[jmccants@rogerslewis.com](mailto:jmccants@rogerslewis.com)  
*For Appellant University Housing Services, Inc.*

FOR APPELLANT H.G. REYNOLDS COMPANY INC.,  
WE SO MOVE AND CONSENT:



*For*

---

Mark S. Barrow, Esquire  
Christy E. Mahon, Esquire  
Sweeny Wingate & Barrow, PA  
P.O. Box 12129  
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[misb@swblaw.com](mailto:misb@swblaw.com)  
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*For Appellant H.G. Reynolds Company Inc.*

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2016-CP-02-02339  
Appellate Case No.: 2018-001039

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University of South Carolina Aiken. ....Respondent.

V.

University Housing Services, Inc., H.G. Reynolds Company, Inc., Southern Wall Systems, Inc.,  
McElroy Specialty Interiors, Inc., Crosby Broadwater d/b/a Broadwater Construction, Tim  
Stephens d/b/a Sa-Glo Carolina a/k/a San-Glo Glass, Inc., William Bell d/b/a Bell Siding &  
Roofing a/k/a Bell Siding & Roofing, LLC, Croft Hill Siding, Inc., East Coast Painting, Inc.,  
and John Doe 3 ..... Defendants.

University Housing Services, Inc. .... Third-Party Plaintiff,

V.

Aiken, Aiken, Beauchamp and Sheetz Architects, Inc. .... Third-Party Defendant.

Of which University Housing Services, Inc. and H.G. Reynolds Company, Inc.  
are the ..... Appellants.

**PROOF OF SERVICE**

I certify that I have served the Consent Motion and Agreement to Hold in Abeyance on  
Respondent and all Counsel of Record by depositing a copy of it in the United States Mail,  
postage prepaid, on February 7, 2019 addressed to their attorneys of record, listed as follows:

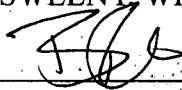
Gregory M. Alford, Esquire  
Alford & Thoreson, LLC  
Post Office Drawer 8008  
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Attorney for Respondent University of South Carolina

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Attorney for Appellant University Housing Services, Inc.

SWEENEY WINGATE & BARROW, P.A.



For Mark S. Barrow, Esquire  
Christy E. Mahon, Esquire  
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Post Office Box 12129  
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803-256-2233

Attorneys for Appellant H. G. Reynolds Company,  
Inc.

February 7, 2019  
Columbia, South Carolina



SWEENEY WINGATE & BARROW P.A.

February 7, 2019

Reply to: Main Office

Christy E. Mahon  
(803) 256-2233 x7157  
cem@swblaw.com

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FEB 07 2019  
SC Court of Appeals

**VIA HAND DELIVERY**

Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1015 Sumter Street  
Post Office Box 11629  
Columbia, South Carolina 29202

RE: University of South Carolina- Aiken v. H G Reynolds Company, Inc., et al.  
Appellate Case No.: 2018-001039  
Civil Action No.: 2016-CP-02-02339  
Our File: 1395-10472

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of the Consent Motion and Agreement to Hold in Abeyance in connection with the above-referenced matter. Also enclosed is our check in the amount of \$50.00 for the filing fee. Please return with the courier who delivers this letter a stamped copy of the Motion.

By copy hereof, all counsel of record are being served with this Consent Motion and Agreement.

Thank you for your assistance, and should you have any questions, please do not hesitate to contact me.

Yours truly,

SWEENEY, WINGATE & BARROW, P.A.

Christy E. Mahon

CEM/mha  
Enclosures

**VIA ELECTRONIC TRANSMISSION AND FIRST CLASS MAIL**

cc: Gregory M. Alford, Esquire  
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Attorney for Appellant University Housing Services, Inc.