

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2018-002275

RECEIVED
APR 18 2019
SC Court of Appeals

Shriners Hospitals for Children; Dorraine Lester;
Fred Townsend; and Howard Townsend

Respondents,

v.

Wells Fargo Advisors, LLC; and Jessie Rowe Faircloth

Appellants.

AGREEMENT TO DISMISS APPEAL

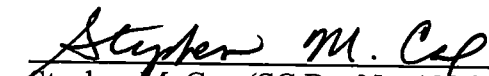
Stephen M. Cox (SC Bar No. 12263)
Brian L. Church (SC Bar No. 80359)

ROBINSON, BRADSHAW & HINSON, P.A.
202 East Main Street, Suite 201
Post Office Drawer 12070
Rock Hill, South Carolina 29731
(803) 325-2900

ATTORNEYS FOR APPELLANTS


Pursuant to Rule 260(b) of the South Carolina Appellate Court Rules, Appellants Wells Fargo Advisors, LLC and Jessie Rowe Faircloth by and through their undersigned counsel, together with Respondents, Shriners Hospitals for Children, Dorraine Lester, Fred Townsend, and Howard Townsend, by and through their undersigned counsel, hereby agree to the dismissal of this Appeal. This Agreement is being submitted as a result of a full settlement at mediation of all disputed matters between the parties. The lower court action has been dismissed pursuant to the settlement making this appeal before the court moot. (See attached Form 4 Order dismissing action)

This 17th day of April, 2019.


Stephen M. Cox (SC Bar No. 12263)
Brian L. Church (SC Bar No. 80359)

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ATTORNEYS FOR APPELLANTS


Peter D. Protopapas (SC Bar No. 68304)
Robert G. Rikard (SC Bar No. 12304) *with permission*

RIKARD & PROTOPAPAS, LLC
1329 Blanding Street
Post Office Box 5640
Columbia, South Carolina 29201
(803) 978-6111

ATTORNEYS FOR RESPONDENTS

STATE OF SOUTH CAROLINA
COUNTY OF Richland
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2017CP4007131

Shriners Hospitals For Children et al
PLAINTIFF(S)

Wells Fargo Advisors LLC et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Case fully settled at mediation

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 04/08/2019 .

Stephen M. Cox for Wells Fargo Clearing Services Llc,Wells Fargo Advisors LLC,Jessie Rowe Faircloth
 Brian Lee Church for Wells Fargo Clearing Services Llc,Wells Fargo Advisors LLC,Jessie Rowe Faircloth
 Peter Demos Protopapas for Shriners Hospitals For Children,Dorraine Lester,Fred Townsend,Howard Townsend

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Richland Common Pleas

Case Caption: Shriners Hospitals For Children , plaintiff, et al vs Wells Fargo Advisors LLC , defendant, et al

Case Number: 2017CP4007131

Type: Order/Electronic Form 4

So Ordered

Jocelyn Newman, Chief Judge for Administrative Purposes, Court of Common Pleas, 5th Judicial Circuit

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Shriners Hospitals for Children; Dorraine Lester;
Fred Townsend; and Howard Townsend

Respondents,

v.

Wells Fargo Clearing Services, LLC d/b/a Wells Fargo Advisors, LLC;
Wells Fargo Advisors, LLC; and Jessie Rowe Faircloth

Appellants.

PROOF OF SERVICE

I hereby certify that I have served the foregoing **Agreement to Dismiss Appeal** on Respondents, Shriners Hospitals for Children; Dorraine Lester; Fred Townsend; and Howard Townsend by depositing a copy of said Notice in the United States Mail, postage prepaid, on April __, 2019, addressed to Respondents' attorneys of record, Robert G. Rikard and Peter D. Protopapas, PO Box 5640, Columbia, SC 29250.

Stephen M. Cox

ROBINSON
BRADSHAW

April 17, 2019

WHappel@robinsonbradshaw.com
803.325.2920 : Direct Phone
803.325.2929 : Direct Fax

VIA FEDEX

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: ***Shriners Hospitals for Children, et al. v. Wells Fargo Clearing Services, LLC d/b/a Wells Fargo Advisors, LLC, et al.***
Case No. 2017-CP-40-07131

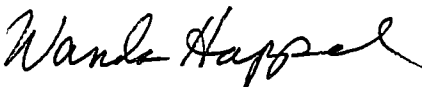
Dear Ms. Kitchings:

Enclosed for filing is the original and one copy of an ***Agreement to Dismiss Appeal*** together with the ***Proof of Service*** in the above case. Please file the original and return a time-stamped copy to us in the envelope provided.

Thank you very much.

Very truly yours,

ROBINSON, BRADSHAW & HINSON, P.A.



Wanda K. Happel
Legal Practice Assistant

WKH/wkh
Enclosures

cc: Robert G. Rikard (w/encls.)
Peter D. Protopapas (w/encls.)
Rikard & Protopapas, LLC
PO Box 5640
Columbia, SC 29250

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SC Court of Appeals

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ROCK HILL, SC 29730
UNITED STATES US

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TO THE HONORABLE JENNY A. KITCHINGS
CLERK, SC COURT OF APPEALS
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COLUMBIA SC 29201

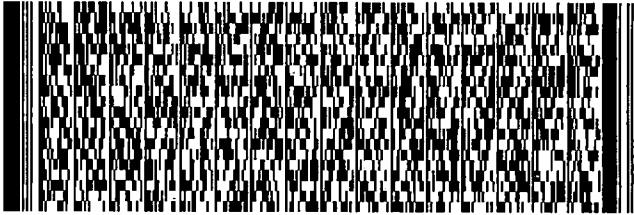
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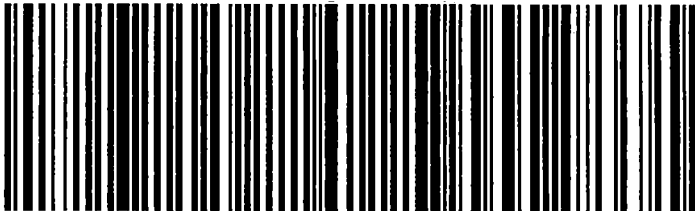
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4/17/2019