

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

RITA BROOKS

Plaintiff,

vs.

VELOCITY POWERSPORTS, LLC,
AMERICAN HONDA FINANCE
CORPORATION and AMERICAN HONDA
MOTOR CO., Inc.
Defendants

) IN THE COURT OF COMMON PLEAS
) FOR THE NINTH JUDICIAL CIRCUIT
) CASE NO.- 2012-CP-08-2981
)
)

) **ORDER ON MOTION FOR**
) **RECONSIDERANTION AND**
) **SUPPLEMENTAL ORDER OF FINAL**
) **JUDGMENT**
)
)
)

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SC Court of Appeals

The above entitled case came before the Court upon Motion for Reconsideration filed on October 17, 2018 by the Defendant through counsel, Velocity Powersports, LLC. Present were the Plaintiff's attorney, Edward J. Dennis, IV, and the Defendant's attorney, Mary Leigh Arnold.

Upon consideration of the Defendant's Motion, the Plaintiff's Return thereto and argument of counsel, the Court Orders that:

1. Defendant's request for relief is hereby denied; and,
2. This Court's Order dated October 8, 2018, is hereby supplemented to include the following additional findings of fact and conclusions of law by way of clarification, to wit:
 - a. **I FIND AND CONCLUDE** that while S.C. Code §56-19-840, appears to be applicable to the case at bar, that the applicability of the statute is not solely determinant of the Defendant's storage lien claim, but cumulative and in addition to the fact that the Defendant attempted to recover a charge for which the Defendant was not entitled; and,
 - b. **I FIND AND CONCLUDE** that the Defendant knew or should have known that the summerization charge was an incomplete, partial, superfluous, unnecessary repair and without value to the Plaintiff; and,
 - c. **I FIND AND CONCLUDE** that on the basis of the foregoing alone that the lien claim fails and that such is sufficient basis to support the unfair trade practice claim of the

Plaintiff; and it is

SO ORDERED!

Dale E. Van Slambrook
Master-In-Equity, Berkeley County
Ninth Judicial Circuit

Dated: _____, 2018
Moncks Corner, SC



Berkeley Common Pleas

Case Caption: Rita Brooks VS Velocity Powersports, Llc , defendant, et al

Case Number: 2012CP0802981

Type: Master/Order/Other

AND IT SO ORDERED!

s/Dale E. Van Slambrook #3079

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