

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Edgar Warren Dickson, Circuit Court Judge

Case No. 2009-CP-18-1601

RECEIVED

JAN 30 2013

SC Court of Appeals

DAVID AND BRIDGETTE MANNING,
individually and as legal guardians of
Tate M. Manning and Colby D. Manning..... Respondents.

v.

LENNAR CAROLINAS, INC., DON GALLOWAY
HOMES, LLC and LENNAR COMMUNITIES
OF THE CAROLINAS, INC..... Appellants.

APPELLANTS' MOTION TO WITHDRAW APPEAL

Appellants ("Appellants") hereby move, pursuant to Rule 260(c), SCACR, to withdraw their appeal in the above-captioned matter. The basis for this Motion is that the parties have agreed to mediate and arbitrate the underlying dispute, and Appellants no longer wish to proceed with their appeal. Therefore, counsel for Appellants request that this appeal be dismissed and that no costs or fees be taxed to any party.

Counsel for Respondents, the only parties other than Appellants participating in this litigation, consent to Appellants' request. No cross-appeals exist, and Respondents agree that there will be no prejudice to them for the withdrawal of this appeal.

Jenna K. McGee

Jenna K. McGee (SC Bar No. 76891)

Parker Poe Adams & Bernstein LLP

200 Meeting Street, Suite 301

Charleston, SC 29401

Telephone: (843) 727-2650

Facsimile: (843) 727-2680

Counsel for Appellants Lennar Carolinas, Inc., Don Galloway Homes, LLC and Lennar Communities of the Carolinas, Inc.

WE CONSENT:

Jesse A. Kirchner

Jesse A. Kirchner, Esq.

Michael A. Timbes, Esq.

THURMOND KIRCHNER & TIMBES, P.A.

15 Middle Atlantic Wharf, Suite 101

Charleston, SC 29401

Counsel for Respondents David and Bridgette Manning, individually and as legal guardians of Tate M. Manning and Colby D. Manning

John E. Robinson

McDowell Law Offices

36 Broad Street

Charleston, South Carolina 29401

Co-Counsel

January 30, 2013

Columbia, South Carolina

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PROOF OF SERVICE

I certify that I have served the **Appellants' Motion to Withdraw Appeal** on all parties in this action by hand delivery addressed to:

Jesse A. Kirchner, Esq.
Michael A. Timbes
Thurmond Kirchner Timbes & Yelverton, P.A.
15 Middle Atlantic Wharf, Suite 101
Charleston, South Carolina

John E. Robinson
McDowell Law Offices
36 Broad Street
Charleston, South Carolina 29401

Jenna K. McGee, Heather A. ..., with express
Jenna K. McGee (SC Bar No. 76891) permission
Parker Poe Adams & Bernstein LLP
200 Meeting Street, Suite 301
Charleston, SC 29401
Telephone: (843) 727-2650
Facsimile: (843) 727-2680

*Attorneys for Appellants Lennar Carolinas, Inc., Don
Galloway Homes, LLC and Lennar Communities of
the Carolinas, Inc.*