

Ronald L. Jones et al
PLAINTIFF(S)

Rogers Townsend & Thomas P.C. 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:

This Matter came before the Court on May 7, 2019, upon Plaintiffs Thomas H. Gaillard and Thomas Cone's (hereinafter "Trustees") Motion for Nonjoinder, pursuant to Rule 21, filed March 29, 2019. Warren Powell, Jr., Esq. appeared on behalf of Defendant Rogers Townsend & Thomas P.C. ("RT&T"), Jay Hulst, Esq. appeared on behalf of the Trustees, and Robert Maring, Esq. appeared on behalf of Plaintiff Ronald Jones. "Parties may be dropped or added by order of the court on motion of any party or of its own initiative at any stage of the action and on such terms as are just." Rule 21, SCRPC; See Branham v. Ford Motor Co., 390 S.C. 203, 242, 701 S.E.2d 5, 26 (2010). The Court finds that the Trustee Plaintiffs are no longer indispensable parties and their presence is not required to resolve the dispute. Per Mr. Hulst, the Trustees assert that their rights are not affected and that they have resolved the underlying easement issue by entering into a new easement with Plaintiff Jones thereby

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 05/09/2019 .

Gaye Langley Jones

RECEIVED
MAY 12 2019
SC Court of Appeals

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.

resolving and determining their interests in this matter. While the issue of the validity of any easements is viable to Defendant RT&T's defenses it is not viable or dispositive of the Trustee Plaintiffs interest in the property. Moreover, the Court was advised that Defendants Alexander Peabody and Peabody & Associates, Inc. stipulate to the Trustee Plaintiffs dismissal as parties. Therefore, the Motion for Nonjoinder, pursuant to Rule 21, SCRCP, is hereby Granted.



Berkeley Common Pleas

Case Caption: Ronald L. Jones VS Rogers Townsend & Thomas P.C.

Case Number: 2018CP0800817

Type: Order/Electronic Form 4

IT IS SO ORDERED.

s/D.L. Jefferson Ninth Judicial Circuit Judge 2128