

96709

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Case No. 2016-CP-38-01152

RECEIVED
AUG 29 2019
SC Court of Appeals

Brandon Glover,..... Plaintiff,

v.

David Hill; JHOC, Inc.; Earl Cuff; and Willie Glover, Defendants,

Of whom JHOC, Inc. and David Hill are the..... Appellants,

and

Brandon Glover, Willie Glover, and Earl Cuff are the..... Respondents.

MOTION FOR LIMITED REMAND

Pursuant to Rules 240 and 241 of the South Carolina Appellate Court Rules, Appellants JHOC, Inc. d/b/a Premier Transportation and David Hill (together, "Appellants") move for a limited remand in this appeal for the purpose of allowing the trial court to rule on Appellants' pending Rule 59(e) motion to alter or amend the trial court's order denying Appellants' post-trial motions.

BACKGROUND

This is a negligence case arising from an automobile accident. The jury returned a verdict in favor of Plaintiff Brandon Glover and Defendant/Cross-Claimant Willie Glover against

Appellants on April 26, 2019, and awarded more than \$30,000,000 in damages against Appellants. *See* Verdict Form, attached to Appellants' Notice of Appeal.

On May 6, 2019, Appellants filed motions for judgment notwithstanding the verdict, new trial absolute, new trial based on the thirteenth juror doctrine, new trial nisi remittitur, and remittitur.¹ The trial court issued an order denying all of Appellants' post-trial motions in their entirety on July 29, 2019. *See* July 29, 2019 Order, attached to Appellants' Notice of Appeal.

Willie Glover—who did not file any post-trial motions—filed a Rule 59(e) motion on August 7, 2019, seeking clarification of the trial court's statement that the "award [to Willie Glover] is reduced by the [jury's] finding that Willie is 10% at fault." *See* Willie Glover's Rule 59(e) Motion at 1, attached as **Exhibit A**. Specifically, Willie Glover requested that the trial court clarify whether its ruling required a 10% reduction of his compensatory *and* punitive damages award or applied only to his compensatory award.² *Id.*

Appellants filed a Rule 59(e) motion on August 8, 2019, presenting argument on several issues that arose from the trial court's July 29, 2019 order. *See* JHOC and Hill's Rule 59(e) Motion, attached as **Exhibit B**. Specifically, Appellants (1) raised an inconsistency between the trial court's order and the trial court's prior Form 4 judgment dated April 26, 2019; (2) objected to the trial court's new finding—never before raised—that Appellants improperly attempted to

¹ Because Appellants collectively filed seven post-trial motions, Appellants have not attached those filings as exhibits to this motion. Appellants will produce copies of the post-trial motions if this Court directs them to do so.

² The jury found Appellants jointly were 90% at fault for the accident and Willie Glover was 10% at fault. *See* Verdict Form. The jury awarded Brandon Glover \$4,000,000 in compensatory damages and \$16,000,000 in punitive damages, and it awarded Willie Glover \$4,000,000 in compensatory damages and \$10,000,000 in punitive damages. *Id.* The jury also found Willie Glover to have been reckless with respect to the accident. The proper calculation of the amount to which Willie Glover is entitled based on the jury's finding that he is 10% at fault remains in dispute.

force a continuance by retaining an attorney from the law firm of Collins & Lacy, PC prior to trial; (3) argued the trial court should reconsider its decision to direct a verdict in favor of Defendant Earl Cuff, citing to some additional authorities supporting Appellants' new trial motion arguments; and (4) objected to the trial court's new finding that Appellants were barred from arguing the jury's verdict was excessive because Appellants' counsel "opened the door" to the damages amount during opening statements. *See generally id.*

Brandon Glover did not file a Rule 59(e) motion.

In an abundance of caution, Appellants served and filed a notice of appeal on August 28, 2019, thirty days after they received written notice of entry of the trial court's order denying their post-trial motions. The trial court has not ruled on Willie Glover's August 7, 2019 Rule 59(e) motion (for clarification) or Appellants' August 8, 2019 Rule 59(e) motion.

ARGUMENT

Appellants' service and filing of a notice of appeal and motion for limited remand is necessary here to ensure protection of their rights to appeal. In *Elam v. South Carolina Department of Transportation*, 361 S.C. 9, 602 S.E.2d 772 (2004), the Supreme Court held an appeal "may be barred due to untimely service of the notice of appeal when a party—instead of serving a notice of appeal—recaptions a written JNOV/new trial motion, which has been ruled on, and resubmits it as a virtually identical, written Rule 59(e) motion." *Id.* at 20, 602 S.E.2d at 778. The *Elam* Court discouraged the regular filing of both a Rule 59(e) motion and a notice of appeal.³ Hence,

³ *See id.* at 20 n.2, 602 S.E.2d at 778 n.2 ("We are aware that a party may attempt to file both a Rule 59 motion and a notice of appeal. If this does occur, one or the other will be inappropriate depending on whether the motion is both timely under Rule 59 and permissible under our ruling today. It is, of course, the party's responsibility to determine whether a Rule 59 motion or notice of appeal is appropriate under the facts of the case, and we caution parties not to attempt to avoid this responsibility by the simple expedient of filing both.").

Appellants did not cavalierly serve and file the notice of appeal here, nor did they simply act out of “expedience” with regard to their Rule 59(e) motion filing. The *Elam* Court clarified that a Rule 59(e) motion which raises new or different issues than prior post-trial motions—or seeks a ruling on issues not yet ruled upon by the trial court—is proper and stays the time for appeal. *Id.* Appellants believe their Rule 59(e) motion falls within this description. However, the *Elam* Court also reinforced the catastrophic consequences if a party incorrectly believes its Rule 59(e) motion is proper. *Id.* at 25, 602 S.E.2d at 780 (“If a party is unsure whether he properly raised all issues and obtained a ruling, he must file a Rule 59(e) motion or an appellate court may later determine the issue or argument is not preserved for review. But in filing the motion, he may unwittingly forfeit the right to an appeal if an appellate court later determines the Rule 59(e) motion was unnecessary because he already had raised the issue and obtained a ruling.”). Unfortunately, while a party may analyze the propriety of a Rule 59(e) motion before filing one, a party’s belief in the propriety of the motion is of no value if a court disagrees. Thus, if there is a possibility that a Rule 59(e) motion may be deemed improper and the deadline to appeal may thus “unwittingly” expire, a party has no choice but to serve and file a notice of appeal.

Appellants believe their Rule 59(e) motion is proper and comports with *Elam* because it differs, at least in some parts, from Appellants’ post-trial motions. *See id.* at 26, 602 S.E.2d at 781 (finding a Rule 59(e) motion stayed the time to appeal because it “involve[d] a first, written Rule 59(e) motion, not a second one,” and the moving party “did not simply resubmit a virtually identical, written Rule 59(e) motion raising the same issues on which it already had obtained a ruling by virtue of a previous, written JNOV/new trial motion”). Appellants therefore believe their motion stays the time to appeal. *See* Rule 203(b)(1), SCACR (When a timely . . . motion to alter or amend the judgment (Rules 52 and 59, SCRCF) . . . has been made, the time for appeal for all

parties shall be stayed and shall run from receipt of written notice of entry of the order granting or denying such motion.”).

Appellants also believe Willie Glover’s Rule 59(e) motion independently stays the time for all parties to appeal. Rule 203(b)(1), SCACR. However, the lack of certainty in the law, as more fully explained below, leaves Appellants with no option but to serve and file a notice of appeal if there is a possibility that a Rule 59(e) motion will be deemed improper under *Elam*. Consequently, in an abundance of caution and to protect their rights to appeal, Appellants served and filed a notice of appeal and now seek a limited remand restoring jurisdiction to the trial court so the trial court may rule upon the pending Rule 59(e) motions.

Appellants believe their serving and filing of a notice of appeal was necessary for several reasons. First, another party may argue Appellants’ Rule 59(e) motion is improper. *See Elam*, 361 S.C. at 20, 602 S.E.2d at 778. Appellants disagree; their Rule 59(e) motion properly addresses issues that, at least in part, arose for the first time when the trial court filed its July 29 order and is therefore permitted under *Elam*. However, Appellants could not allow the notice of appeal deadline to pass and risk losing their appellate rights if this court determines the Rule 59(e) motion did not stay the time for appeal. *See id.* at 15–18, 602 S.E.2d at 775–77 (citing cases in which appellate courts found a Rule 59 motion was improper and did not stay the time to appeal).

Second, Willie Glover’s Rule 59(e) motion could conceivably be deemed a request to correct or clarify the application of the judgment as written—rather than a true motion to alter or amend the judgment—which thus may arguably not stay the deadline for parties to file a notice of appeal. The fact that Willie Glover seeks clarification (as opposed to necessarily an amendment or alteration), makes the effect of the motion on appeal deadlines somewhat uncertain. Appellants

believe the Willie Glover Rule 59(e) motion *does* stay the time for all parties, but its particular nature makes this conclusion not 100% certain.

Third, if Appellants' Rule 59(e) motion is deemed improper, Willie Glover could withdraw *his* Rule 59(e) motion (assuming *arguendo* it had a stay effect) after Appellants' deadline to appeal has expired. Although Rule 203 of the South Carolina Appellate Court Rules provides that the filing of a Rule 59(e) motion stays the time for all parties to appeal, it states only that the time for appeal "shall run from receipt of written notice of entry of the *order granting or denying* such motion." Rule 203(b)(1), SCACR (emphasis added). The language of the rule does not address the effect of *withdrawing* a Rule 59(e) motion on the time for appeal. While Appellants believe logic and fairness dictate that the time for appeal would be stayed during the pendency of the Rule 59(e) motion and would begin to run again from the date of the withdrawal of the motion, Appellants cannot take the risk that a Court would disagree with this position in the absence of any authority or definitive rule language supporting that position.

Finally, Brandon Glover did not file a Rule 59(e) motion, and Willie Glover's motion addresses only the judgment in his favor against Appellants. Willie Glover's motion does not affect the judgment in favor of Brandon Glover. Consequently, if Appellants' Rule 59(e) motion is deemed ineffective under *Elam*, Brandon Glover may argue Willie Glover's motion does not stay the time to appeal the judgment in favor of Brandon. Appellants believe that it *would* stay the time to appeal, but again, there is a lack of certainty in a setting where \$30 million in jury verdicts is at issue.

Appellants thus request a limited remand so the trial court may rule upon Appellants' Rule 59(e) motion directed at the trial court's July 29 order. A limited remand will allow the parties to

obtain a ruling on all outstanding issues and then present this court with a complete appeal, thus serving the interests of justice and judicial economy.

CONCLUSION

Based on the above, Appellants respectfully request that their limited remand motion be granted.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

C. Mitchell Brown
S.C. Bar No. 012872
E-Mail: mitch.brown@nelsonmullins.com
Blake T. Williams
S.C. Bar No. 100794
E-Mail: blake.williams@nelsonmullins.com
Nicholas A. Charles
S.C. Bar No. 101693
E-Mail: nick.charles@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
(803) 799-2000

*Attorneys for Appellants JHOC, Inc. d/b/a/ Premier
Transportation and David Hill*

Columbia, South Carolina

August ~~24~~, 2019

Exhibit A
(Willie Glover's Rule 59(e) Motion)

Defendant Willie Glover's motion is timely made pursuant to Rule 59(e) of the South Carolina Rules of Civil Procedure.

[Signature page to follow]

RESPECTFULLY SUBMITTED,

/s Virginia W. Williams

David R. Williams 77899
Virginia W. Williams 77898
WILLIAMS & WILLIAMS
1281 Russell Street (29115)
Post Office Box 1084
Orangeburg, South Carolina 29116
Tel: 803.534.5218
Fax: 803.928.5190
Email: david@williamsattys.com

August 7, 2019
Orangeburg, South Carolina

E. Mitchell Griffith, Esquire
Griffith, Freeman & Liipfert, LLC
Post Office Drawer 570
Beaufort, SC 29902

ATTORNEYS FOR WILLIE GLOVER

Exhibit B
(JHOC and Hill's Rule 59(e) Motion)

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

Brandon Glover,

Plaintiff,

v.

David Hill, JHOC, Inc., Earl Cuff and Willie
Glover,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT
Case No. 2016-CP-38-01152

**DEFENDANTS JHOC, INC. AND DAVID
HILL'S MOTION TO ALTER OR
AMEND**

Pursuant to Rule 59(e) of the South Carolina Rules of Civil Procedure, Defendants David Hill ("Hill") and JHOC, Inc. ("JHOC") (collectively "Defendants") hereby move to alter or amend the Court's July 29, 2019 Order denying Defendants' post-trial motions and the original Form 4 judgment. The Court's order denying Defendants' post-trial motions renders the Court's prior Form 4 judgment incorrect because the order properly acknowledges that the damages award to Willie Glover must be reduced by the percentage of Willie Glover's fault, but the Form 4 judgment does not. The Court therefore must amend the Form 4 judgment. The Court also should reconsider and amend its order denying post-trial motions and strike the finding that Defendants attempted to force a continuance by retaining appellate counsel shortly before trial because the finding is unsupported by any evidence. Finally, the Court should reconsider its ruling as to the directed verdict in favor of defendant Earl Cuff and grant a new trial on the ground that Cuff was negligent in initiating a chain of events that resulted in Brandon Glover and Willie Glover's injuries. Defendants also reincorporate all arguments raised in their post-trial motions—along with all other arguments raised before, during, and after trial and in supporting oral and written arguments and filings—and assert that the Court should reconsider its ruling and grant the relief requested by Defendants in their post-trial motions.

Argument

I. The order denying Defendants' post-trial motions renders the original Form 4 judgment incorrect, and the Form 4 judgment must therefore be corrected.

The July 29, 2019 order denying Defendants' post-trial motions renders the Court's prior Form 4 judgment, which the Court dated April 26, 2019, incorrect. The Court must amend the Form 4 judgment to reflect the proper judgment amounts as to each party.

The jury found Defendants to be 90% at fault and Willie Glover to be 10% at fault. After the verdict, the Court entered a Form 4 judgment showing the following judgment amounts to be enrolled:

- Judgment for Brandon Glover against JHOC and Hill: "(4,000,000) (16,000,000)."
- Judgment for Brandon Glover against Willie Glover: "1,000,000."
- Judgment for Willie Glover against JHOC and Hill: "(4,000,000) (10,000,000)."

The Form 4 judgment did not mention or account for the 10% fault allocated to Willie Glover. However, in its July 29, 2019 order, the Court correctly noted that the award to Willie Glover "is reduced by the finding that Willie is 10% at fault." (July 29, 2019 Order at 3). This finding renders the original Form 4 judgment incorrect because the judgment fails to account for the 10% reduction in the award to Willie Glover. Consequently, the Court must issue a corrected Form 4 judgment reducing the award to Willie Glover by 10%. Moreover, the punitive damages award in favor of Willie Glover must also be reduced because the jury found him to be reckless.¹

¹ Defendants also renew their argument that the jury's award to Brandon Glover against JHOC and Hill must be reduced by 10% because the jury found JHOC and Hill were only 90% at fault for Brandon Glover's injuries.

II. The Court's finding that Defendants attempted to force a continuance is unsupported by any evidence.

In its order denying Defendants' post-trial motions, the Court found for the first time that Defendants "attempted to force a continuance with the appointment [of] an additional attorney the week before trial." (July 29, 2019 Order at 19). The Court stated, "This is an important fact because the original trial judge had a conflict with the newly appointed attorney's firm. This conflict is a well-known fact in the First Circuit and undoubtedly in the State of South Carolina." (*Id.*). There is no evidence supporting this finding, and the order cites no evidence.

Contrary to these speculative statements, Defendants did not retain additional counsel to force a continuance. Rather, Defendants retained Christian Stegmaier from Collins & Lacy as appellate counsel for trial. The hiring of appellate counsel shortly before trial is a common practice in the small percentage of cases that reach trial in South Carolina, and Christian Stegmaier is an experienced appellate attorney. Defendants had the right to hire appellate counsel of their choosing. The Court should reconsider its ruling and strike the finding that Defendants attempted to force a continuance by hiring appellate counsel prior to trial.

III. The Court erred in granting directed verdict in favor of Cuff because he set in motion the chain of events which culminated in the accident.

The Court erred in granting directed verdict in favor of defendant Earl Cuff for the reasons Defendants articulated during and after trial. Because Cuff is responsible for initiating the chain of events that led to the accident at issue in this case, it was improper for the Court to grant a directed verdict in favor of Cuff. *See Wineglass v. McMinn*, 235 S.C. 537, 541-42, 112 S.E.2d 652, 654 (1960) ("There was the initial act of negligence which set in motion the chain of events which culminated in the collision This was the negligence which was the proximate cause of the injuries.' . . . 'The intervening negligence of another will not excuse the first tort-feasor, if the

intermediate wrong or a similar one should have been foreseen in the exercise of due care; the original negligence remains active and constitutes a concurring proximate cause of the ultimate injury.” (citations omitted)). A jury could find that Cuff’s negligence was the first step in a chain reaction that led to Brandon Glover and Willie Glover’s injuries, and Cuff therefore remained responsible for their injuries regardless of any negligent acts by Defendants. *See id.* Cases from other jurisdictions support this argument:

- *Haugen v. Dick Thayer Motor Co.*, 91 N.W.2d 585, 586 (Minn. 1958) (finding the negligence of the automobile driver who entered an intersection at an excessive rate of speed was not an efficient intervening cause breaking the chain of causation between the appellant’s negligence and the resulting collision, where the record establishes that the negligence of appellant in entering the intersection at or about the same time without maintaining a proper lookout or yielding the right-of-way constituted a concurrent and contributing cause of the collision).
- *Pitt Ohio Exp., LLC v. Pat Salmon & Sons, Inc.*, 532 F. App’x 439, 441–42 (4th Cir. 2013) (finding the jury “evidently viewed the collision between [two] trucks as part of one larger accident. The jury determined that [one party]’s negligent operation of his truck was the first step in a chain reaction that led to the three deaths, and it is within the province of the trier of fact to make such a finding”).
- *Bening v. Muegler*, 67 F.3d 691, 696–97 (8th Cir. 1995) (citing *Shaffer v. Bess*, 822 S.W.2d 871, 877 (Mo. Ct. App. 1991), for the proposition that the causal chain is not broken when a negligent driver caused an accident that resulted in a second accident, even where a different driver was also negligent in causing the second accident).
- *Kroeger v. Safranek*, 72 N.W.2d 831, 838 (Neb. 1955) (“‘A cause of an injury may be the proximate cause notwithstanding it acted through successive instruments of a series of events, if the instruments or events were combined in one continuous chain or train through which the force of the cause operated to produce the disaster.’ We think the collision of the two trucks on the highway set in motion a series of events, which included the breaking of the pole and the sagging of the power line wires, which combined in one continuous chain or train through which that force operated to produce the disaster.” (citation omitted)).
- *Oberman v. Alexander’s Rent-A-Car*, 56 A.D.2d 814, 392 N.Y.S.2d 662 (1977) (finding the evidence sustained the jury’s finding that, with respect to six-car chain accident in which the fourth automobile, when struck in the rear, caught fire, the drivers of the first, second, third, and fifth automobiles were negligent).

- *Ebersole v. Lowengrub*, 180 A.2d 467, 469–70 (1962) (finding if the driver of the first automobile in line of six automobiles created a state of emergency by negligence in stopping, a jury could find negligence was proximate cause of series of rear-end collisions which ensued).
- *Felt v. Price*, 126 So. 2d 330, 335 (La. 1961) (finding, in a case arising out of series of rear-end collisions, the evidence sustained the jury’s conclusion that the driver of the first automobile involved in the collision had been negligent in engaging in passing maneuver at high rate of speed despite the negligence of other drivers in the chain).
- *Holstein v. Kroger Grocery & Baking Co.*, 34 A.2d 491, 492 (Pa. 1943) (“[W]here there would have been no injury whatever but for the continuing negligence of the defendant who first put the plaintiff in peril, and which existed when the negligence of the other turned the peril into actual injury, the negligences are concurrent and both defendants are jointly and severally liable for the injuries thereby occasioned.” (citation omitted)).
- *Yi Fu Chen v. Spring Tailor, L.L.C.*, No. 14 CIV. 218 PAE, 2015 WL 3953532, at *9 (S.D.N.Y. June 29, 2015) (“[T]he chain collision involved six vehicles, and there are competing theories as to how the accident unfolded. Chen’s theory, which has a basis in the evidence, is that the chain collision began with the first two cars and, as a result of a series of sudden stops and collisions, led to the subsequent six-car pileup. . . . There is thus in this case . . . a question of fact as to the sequence of collisions. Although the Ahead Car Defendants contend that the accident unfolded differently, that is a question of fact for the jury to decide, based on the evidence at trial. . . . The identification of the tortfeasors, and the determination and allocation of legal responsibility for Chen’s injuries, must await trial.”).
- *Almaraz v. Burke*, 827 S.W.2d 80, 80–81 (Tex. App. 1992) (finding the evidence showed that the negligence of van driver was a proximate cause of later collisions, even though the first collision occurred several minutes after van driver’s departure from the scene of the accident).

Based on these cases and the arguments raised by Defendants at trial and in their post-trial motions, the Court should reconsider its ruling and grant a new trial.

IV. The Court denied Defendants’ motions for new trial *nisi remittitur* on an improper basis.

In denying Defendants’ motions for a new trial *nisi remittitur*, the Court found for the first time that an unspecified statement about “awards of \$10 million” by Defendants’ counsel during opening statements “opened the door for the jurors to consider such an amount if not more, should they find the defendants at fault.” (July 29, 2019 Order at 22–23). The Court cited no law in

support of this finding. Defendants have found no support under South Carolina law for the conclusion that counsel's opening statement may preclude a later finding that a damages award is excessive. Therefore, the Court's finding that Defendants' motions for new trial *nisi remittitur* must be denied based on counsel's opening statement is incorrect, and the Court should amend its order to strike this finding.

Conclusion

For the reasons stated in Defendants' post-trial motions and all arguments raised before, during, and after trial, this Court should reconsider its ruling and grant the relief requested by Defendants. If the Court declines to grant Defendants' post-trial motions, however, it should amend the Form 4 judgment to account for the allocation of 10% fault to Willie Glover and amend its order to strike the finding that Defendants attempted to force a continuance by hiring appellate counsel prior to trial and the finding that Defendants' counsel opened the door to the judgment amount.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: s/ Nicholas A. Charles

C. Mitchell Brown

S.C. Bar No. 012872

E-Mail: mitch.brown@nelsonmullins.com

Blake T. Williams

S.C. Bar No. 100794

E-Mail: blake.williams@nelsonmullins.com

Nicholas A. Charles

S.C. Bar No. 101693

E-Mail: nick.charles@nelsonmullins.com

1320 Main Street / 17th Floor

Post Office Box 11070 (29211-1070)

Columbia, SC 29201

(803) 799-2000

COLLINS & LACY, P.C.

Christian Stegmaier
E-Mail: cstegmaier@collinsandlacy.com
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(803) 256-2660

BILL CONNOR LAW FIRM, LLC

William M. Connor, V
E-Mail: billconnorlawfirm@gmail.com
138 Centre Street
Orangeburg, South Carolina 29115
(803) 937-5571

BAKER, DONELSON, BEARMAN, CALDWELL &
BERKOWITZ, PC

Robert L. Shannon, Jr.
E-Mail: rshannon@bakerdonelson.com
Ciera N. Locklair
E-Mail: clocklair@bakerdonelson.com
Monarch Plaza, 3413 Peachtree Road, N.E.
Atlanta, GA 30326
(404) 221-6536

*Attorneys for Defendants JHOC, Inc. d/b/a/ Premier
Transportation David Hill*

Columbia, South Carolina

August 8, 2019

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Case No. 2016-CP-38-01152

RECEIVED
AUG 29 2019
SC Court of Appeals

Brandon Glover,..... Plaintiff,
v.
David Hill; JHOC, Inc.; Earl Cuff; and Willie Glover, Defendants,
Of whom JHOC, Inc. and David Hill are the..... Appellants,
and
Brandon Glover, Willie Glover, and Earl Cuff are the..... Respondents.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellants, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: Appellants' Motion for Limited Remand

Counsel Served:

Christian Stegmaier
COLLINS & LACY, P.C.
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(803) 256-2660

William M. Connor, V
BILL CONNOR LAW FIRM, LLC
138 Centre Street
Orangeburg, South Carolina 29115
(803) 937-5571

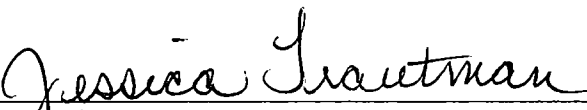
Robert L. Shannon, Jr.
Ciera N. Locklair
BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC
Monarch Plaza, 3413 Peachtree Road, N.E.
Atlanta, GA 30326
(404) 221-6536
*Attorneys for Defendants JHOC, Inc. d/b/a/ Premier
Transportation and David Hill*

H. Woodrow Gooding
Mark B. Tinsley
GOODING & GOODING, P.A.
Post Office Box 1000
Allendale, SC 29810
(803) 584-7676
Attorneys for Respondent Brandon Glover

David R. Williams
Virginia W. Williams
WILLIAMS & WILLIAMS
1281 Russell Street (29115)
Post Office Box 1084
Orangeburg, SC 29116
(803) 534-5218

E. Mitchell Griffith
GRIFFITH, FREEMAN & LIIPFERT, LLC
Post Office Drawer 570
Beaufort, SC 29902
(843) 521-4242
Attorneys for Respondent Willie Glover

Anthony W. Livotti
Alexis V. Blich
MURPHY & GRANTLAND, P.A.
4406-B Forest Drive (29206)
Post Office Box 6648
Columbia, SC 29260
(803) 782-4100
Attorneys for Defendant Earl Cuff



Jessica Trautman
Administrative Assistant

August 29, 2019



NELSON MULLINS

NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW

Nicholas A. Charles
T 803.255.9663
nick.charles@nelsonmullins.com

1320 Main Street | 17th Floor
Columbia, SC 29201
T 803.799.2000 F 803.256.7500
nelsonmullins.com

August 29, 2019

Via: Hand Delivery

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

RECEIVED

AUG 29 2019

SC Court of Appeals

RE: Brandon Glover v. David Hill, JHOC, Inc., Earl Cuff and Willie Glover
Case No. 2016-CP-38-01152
Our File No. 054194/01501

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of Appellants' Motion for Limited Remand in regard to the above-referenced matter. We would ask that you file the original and return a clocked-in copy to us via our courier. Also enclosed is our check in the amount of \$50.00 as the required filing fee.

By copy of this letter to counsel of record, we are serving them with a copy of this notice.

Very truly yours,

Nicholas A. Charles

NAC:jlt

Enclosures

cc: Christian Stegmaier, Esquire
William M. Connor, V, Esquire
Robert L. Shannon, Jr., Esquire
Ciera N. Locklair, Esquire
H. Woodrow Gooding, Esquire
Mark B. Tinsley, Esquire
David R. Williams, Esquire

The Honorable Jenny Abbott Kitchings
August 28, 2019
Page 2

Virginia W. Williams, Esquire
E. Mitchell Griffith, Esquire
Anthony W. Livotti, Esquire
Alexis V. Blitch, Esquire