

90887

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Roger M. Young, Sr., Circuit Court Judge

Appellate Case No. 2019-000974

**RECEIVED**  
SEP 17 2019  
SC Court of Appeals

Ex Parte:

Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Underwriters Insurance Company, Appellants,

In Re:

Oscar Mendiondo, individually and as Representative of a class of similarly situated Owners of Condominium Units in the Horizontal Property Regime known as Shipwatch Condominiums, Plaintiff,

v.

Carolina Concrete Systems, Inc., Sisroy Engineering, LLC, Robert G. Sisroy, Individually, Terrence J. Mckelvey, Glasgow Roofing, Inc., Glasstec, Inc., Spectech, Inc., Sonneborn, Inc., Chimney Sweeps, Inc., Low Country Chimneys, Inc., EFCO Corp., W.C. Johnston Architectural Sales, Inc., Charleston Glass Company, Inc., First Exteriors, LLC; Acrocrete, Inc., BASF Corp., Gary Freeman Architect, Inc., Gary Freeman, Individually, Defendants,

Of whom Oscar Mendiondo, individually and as Representative of a Class of Similarly Situated Owners of Condominium Units in the Horizontal Property Regime known as Shipwatch Condominiums, is the Respondent.

**MOTION TO HOLD APPEAL IN ABEYANCE**

COME NOW the Appellants who move for an Order holding this appeal in abeyance, to allow the Parties time to obtain the signature pages for the settlement agreements.

The matter is pending before the Court pursuant to a Notice of Appeal filed by Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Underwriters Insurance Company. A settlement has been reached in the underlying actions. Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Underwriters Insurance Company, who filed a motion to intervene with the lower court, will as part of the settlement move to dismiss the appeal once the settlement has been finalized. Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Underwriters Insurance Company are awaiting the executed settlement documents. Accordingly, Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Underwriters Insurance Company request the Appeal be held in abeyance.

THEREFORE, for good cause shown and to facilitate settlement, Appellants request this Court hold the instant matter in abeyance.

Respectfully submitted, this 17<sup>th</sup> day of September 2019.

WE SO MOVE:

  
\_\_\_\_\_  
Mark S. Barrow, Esquire  
Christy E. Mahon, Esquire  
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Post Office Box 12129  
Columbia, South Carolina 29211  
803-256-2233

Attorneys for Appellants Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Underwriters Insurance Company

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v.

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Of whom Oscar Mendiondo, individually and as Representative of a Class of Similarly Situated Owners of Condominium Units in the Horizontal Property Regime known as Shipwatch Condominiums, is the Respondent.

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**PROOF OF SERVICE**

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I certify that I have served the Motion to Hold Appeal in Abeyance on behalf of Appellants on Respondent and other counsel by depositing a copy of it in the United States Mail, postage prepaid, on September 17, 2019 addressed to their attorneys of record, listed as follows:

R. Patrick Flynn, Esquire  
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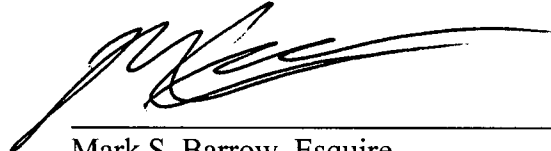
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September 17, 2019



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*For*

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Attorneys for Appellants Hartford Casualty

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Company, and Hartford Underwriters Insurance

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# S·W·B

SWEENEY WINGATE & BARROW P.A.

September 17, 2019

Reply to: Main Office

Christy E. Mahon  
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**VIA HAND DELIVERY**

Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1015 Sumter Street  
Post Office Box 11629  
Columbia, South Carolina 29202

RE: Ex Parte: Hartford Casualty (Oscar Medediondo)  
Appellate Case No.: 2019-000974  
Our File: 4760-11991

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Dear Ms. Kitchings:

Enclosed for filing is the original Motion to Hold Appeal in Abeyance along with one (1) copy of the Motion to Hold Appeal in Abeyance to be stamped and returned with the Courier. Also enclosed are the following:

- (1) Original Proof of Service of the Motion to Hold Appeal in Abeyance and one (1) copy to be stamped and returned with the courier;
- (2) A filing fee of \$50.

By copy hereof, all counsel of record are being served with the above.

Thank you for your assistance, and should you have any questions, please do not hesitate to contact me.

Yours truly,

**SWEENEY, WINGATE & BARROW, P.A.**

  
Fck Christy E. Mahon

September 17, 2019

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CEM/mha  
Enclosures

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September 17, 2019  
Page 3 of 3

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