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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
Robert E. Hood, Circuit Court Judge

Circuit Court Case No. 2018-CP-40-6303  
Appellate Case No.: 2019-001836

**RECEIVED**  
DEC 19 2019  
SC Court of Appeals

Eddie Andre Patterson ..... Respondent,

v.

Douglass Fludd ..... Respondent,

Zurich American Insurance Company ..... Appellant.

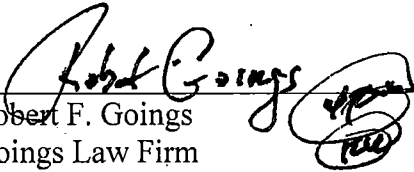
**CONSENT MOTION TO DISMISS APPEAL**

Zurich American Insurance Company (“Zurich”) appealed the Order of the Honorable Robert E. Hood, dated October 21, 2019, which prohibited counsel for the UIM carrier from participating in trial and certain discovery activities because, while the underlying carrier had tendered its policy limit, Plaintiff had not accepted the tender. *See* S.C. Ann. § 38-77-160 (2015). Defendant Fludd subsequently appealed the same order, and both appeals were consolidated under a single appellate case number.

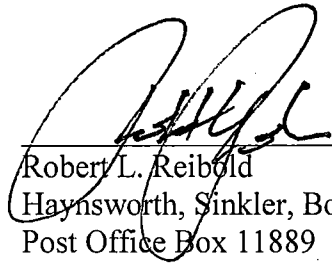
Since the appeals were filed, Plaintiff has agreed to and has accepted the tender of the underlying carrier’s policy limits. The settlement documents have been executed. Accordingly, the parties no longer dispute that counsel for Zurich may fully participate in all activities. The

parties now jointly move for dismissal of the appeal on the grounds that this particular matter is moot, and request that the Court enter its Remittitur.

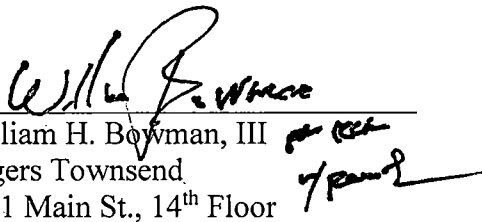
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12/19, 2019

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**PROOF OF SERVICE**

I, the undersigned employee of Haynsworth Sinkler Boyd, P.A., do hereby certify that I have caused the foregoing to be served via U.S. mail, postage prepaid, *or by other delivery as indicated*, to all parties of record at the addresses shown below.

**1. Consent Motion to Dismiss Appeal**

*Parties of Record*

<p>Robert F. Goings Goings Law Firm 1510 Calhoun St. Columbia, SC 29201 (803) 350-9230</p> <p>ATTORNEY FOR RESPONDENT EDDIE A. PATTERSON</p>	<p>William H. Bowman, III Rogers Townsend 1221 Main St., 14<sup>th</sup> Floor Columbia, SC 29201 (803) 771-7900</p> <p>ATTORNEY FOR RESPONDENT DOUGLASS FLUDD</p>
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**HAYNSWORTH SINKLER BOYD, P.A.**

By: Reeve H. Ballew

Reeve H. Ballew

Legal Assistant to Robert L. Reibold

December 19, 2019  
Columbia, South Carolina