

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

67139

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Larry B. Hyman, Jr., Circuit Court Judge

Case No. 2010-CP-22-00512

Miriam Fabian.....Appellant,

v.

Marilyn K. Fabian and Walter J. Pikul, as Co-Trustees of the
Denis Fabian Family Trust and the Denis Fabian QTIP
Trust Respondents.

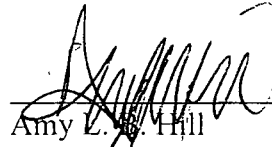
CONSENT DISMISSAL OF APPEAL

This matter has been settled by compromise between the parties hereto. Pursuant to Rule 260 of the South Carolina Appellate Court Rules, the Appellant and Respondents, by and through their attorneys, request that the Court enter an Order of Dismissal of the above appeal. Attorneys for Respondents have agreed to the dismissal of the above appeal as indicated in the Agreement attached hereto as **Exhibit A**.

[Signature on following page.]

RECEIVED
FEB 04 2013
SC Court of Appeals

SOWELL GRAY STEPP & LAFFITTE, L.L.C.



Amy L. Hill
1310 Gausden Street (29201)
Post Office Box 11449
Columbia, South Carolina 29211
(803) 929-1400
(803) 929-0336 - Fax

Attorney for Appellant

February 4, 2013
Columbia, South Carolina

September 17, 2012

Mark W. Buyck, Jr., Esquire
Willcox, Buyck & Williams, PA
Post Office Box 1909
Florence, South Carolina 29503-1909

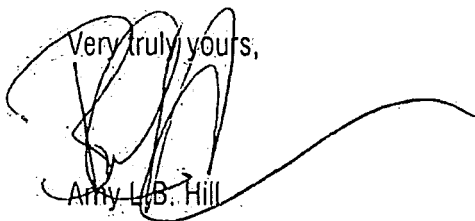
RE: Miriam Fabian v. Marilyn K. Fabian, et al.
Case No.: 2010-CP-22-00512

Dear Mark:

Pursuant to the settlement agreement between the parties of this matter, the parties have agreed to dismiss all appeals in this matter. If you are in agreement that the settlement of this matter resolves all of the issues and that the appeal before the South Carolina Court of Appeals should be dismissed, please confirm your consent by signing this correspondence where indicated. Please return a copy of it to us so that we may file it with the Court of Appeals as an agreement between the parties pursuant to Rule 260(b) of the South Carolina Rules of Appellate Practice.

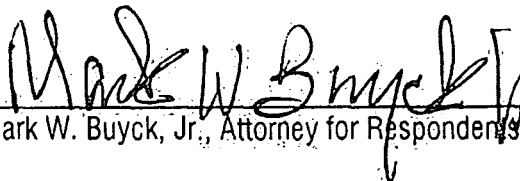
If you have any questions, please do not hesitate to contact me.

Very truly yours,



ALBH:mdl

I CONSENT TO DISMISSAL PURSUANT TO RULE 260(b) OF THE
SOUTH CAROLINA RULES OF APPELLATE PRACTICE.


Mark W. Buyck, Jr., Attorney for Respondents

12/19/12
Date



THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Larry B. Hyman, Jr., Circuit Court Judge

Case No. 2010-CP-22-00512

Miriam Fabian.....Appellant

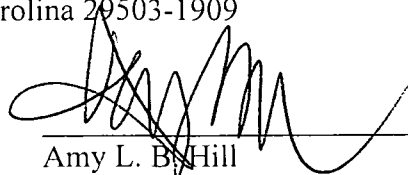
v.

Marilyn K. Fabian and Walter J. Pikul, as Co-Trustees of the
Denis Fabian Family Trust and the Denis Fabian QTIP Trust Respondents.

PROOF OF SERVICE

I, the undersigned Attorney of the law firm of Sowell Gray Stepp & Laffitte, LLC, attorneys for the Appellant in the above-referenced matter, certify that I have served the Consent Dismissal of Appeal on the persons named below by placing a copy of same in the United States Mail on February 4, 2013, postage prepaid, addressed as follows:

Mark W. Buyck, Jr., Esquire
Walker H. Willcox, Esquire
Willcox, Buyck & Williams, PA
Post Office Box 1909
Florence, South Carolina 29503-1909



Amy L. B. Hill

February 4, 2013

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

Re: Miriam Fabian vs. Marilyn K. Fabian and Walter Pikul, as Co-Trustees of The Denis Fabian
Family Trust and the Denis Fabian QTIP Trust
Civil Action No.: 2010-CP-22-00512
Appellate Case No.: 2012-212020

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Consent Dismissal of Appeal. Also enclosed please find my firm's check in the amount of \$25.00 as the filing fee for this motion. Please file the original motion, and return a filed-stamped copy to my office via our courier.

By copy of this correspondence, I am notifying opposing counsel of this communication with the court.

Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Amy L.B. Hill

ALBH:kmw
Enclosures

cc: Walker H. Willcox, Esquire
Mark W. Buyck, Jr., Esquire

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FEB 04 2013

SC Court of Appeals