

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

**Apr 24 2020**

**SC Court of Appeals**

APPEAL FROM BEAUFORT COUNTY  
In the Court of Common Pleas for the Fourteenth Circuit

J. Ernest Kinard, Jr., Circuit Court Judge

Appellate Case No. 2015-000001  
Lower Court Case Nos. 2012-CP-07-03209, 2012-CP-07-03216, 2012-CP-07-03218

The Callawassie Island Members Club, Inc., Respondent,

v.

Gregory L. Martin and Rebecca L. Martin, Defendants,

and

The Callawassie Island Members Club, Inc., Respondent,

v.

Michael J. Frey and Grace I. Frey, Defendants,

and

The Callawassie Island Members Club, Inc., Respondent,

v.

Mark K. Quinn and Sherry B. Quinn, Defendants

Of whom

Gregory L. Martin, Michael J. Frey, and Mark K. Quinn  
are the Appellants

---

**JOINT REQUEST OF MARK K. QUINN AND THE CALLAWASSIE ISLAND  
MEMBERS CLUB, INC.**

---

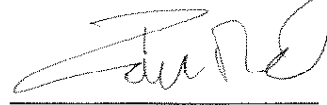
Pursuant to Rule 260 of the South Carolina Appellate Court Rules, Appellant Mark K. Quinn and Respondent The Callawassie Island Members Club, Inc. (collectively the "Parties") jointly request that this Court vacate and withdraw its Unpublished Opinion No. 2019-UP-393, Appellate Case No. 2015-00001, filed December 18, 2019, as to Mark K. Quinn only (not as to the other Appellants in that consolidated appeal, Gregory L. Martin and Michael J. Frey) (the "Unpublished Quinn Opinion").

These Parties have settled their disputes and wish to cease the appeal as to Mark Quinn only. The Parties agree that no Party or other person is to be prejudiced by that resolution. The Parties also agree that each Party shall bear its own costs and fees, and request that this Court not tax such costs and fees against any Party or other person.

Given that (a) this Court has specified that the Unpublished Quinn Opinion "HAS NO PRECEDENTIAL VALUE" and "SHOULD NOT BE CITED OR RELIED ON AS PRCEDEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d), SCAR"; and (b) the legal issues in dispute as to the other Appellants (Martin and Frey) will continue; and (c) the Parties agree that this Court vacating the Unpublished Quinn Opinion will not prejudice any Party or person, the Parties respectfully request that this Court enter an Order withdrawing and vacating the Unpublished Quinn Opinion and not taxing costs of any sort against any Party or other person.

Respectfully submitted,

FORD WALLACE THOMSON LLC



Ian S. Ford, Bar No. 12463

Neil D. Thomson, Bar No. 71209

Ainsley F. Tillman, Bar No. 70551

715 King St., Charleston, SC 29403

843.277.2011

*Attorneys for Appellants Mark Quinn*

and

BARNWELL WHALEY PATTERSON &  
HELMS, LLC



M. Dawes Cooke, Jr.

John Fletcher

P.O. Drawer II

Charleston, SC 29402

(843) 577-7700;

Stephen P. Hughes

Howell, Gibson & Hughes, P.A.

P.O. Box 40

Beaufort, SC 29901

(843) 522-2400;

Andrew F. Lindemann

Lindemann David & Hughes, P.A.

P.O. Box 6923

Columbia, SC 29260

(803) 881-8920.

*Attorneys for Respondent The Callawassie  
Island Members Club, Inc.*

April 24  
March \_\_, 2020

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

**Apr 24 2020**

**SC Court of Appeals**

APPEAL FROM BEAUFORT COUNTY  
In the Court of Common Pleas for the Fourteenth Circuit

J. Ernest Kinard, Jr., Circuit Court Judge

Appellate Case No. 2015-00001  
Unpublished Case No. 2019-UP-393

The Callawassie Island Members Club, Inc. .... Respondent,

v.

Gregory L. Martin and Rebecca L. Martin.....Defendants,

and

The Callawassie Island Members Club, Inc. .... Respondent,

v.

Michael J. Frey and Grace I. Frey .....Defendants,

and

The Callawassie Island Members Club, Inc. .... Respondent,

v.

Mark K. Quinn and Sherry B. Quinn.....Defendants,

Of whom Gregory L. Martin, Michael J. Frey, and Mark K. Quinn are the Appellants.

**PROOF OF SERVICE**

I certify that on April 24, 2020, I have served the Joint Request Of Mark K. Quinn And The Callawassie Island Members Club, Inc., on the counsel listed below by complying with the Supreme Court's order regarding Operation of the Appellate Courts During the Coronavirus Emergency, issued March 20, 2020, which states:

During this emergency, this Court authorizes a lawyer admitted to practice law in this state to serve a document on another lawyer admitted to practice law in this state using the lawyer's primary e-mail address listed in the Attorney Information System (AIS). . . . For documents that are served by e-mail, a copy of the sent e-mail shall be enclosed with the proof of service, affidavit of service, or certificate of service for that document. . . .

I have e-mailed each counsel of record at each lawyer's primary e-mail address listed in the AIS, listed below:

Stephen P. Hughes, Esq.: *sphughes@hghpa.com*  
Howell, Gibson & Hughes, P.A.  
P.O. Box 40  
Beaufort, SC 29901;

M. Dawes Cooke, Jr., Esq.: *mdc@barnwell-whaley.com*  
John W. Fletcher, Esq.: *jfletcher@barnwell-whaley.com*  
Barnwell Whaley Patterson & Helms, LLC  
P.O. Drawer H  
Charleston, SC 29402;

Andrew F. Lindemann, Esq.: *andrew@ldh-law.com*  
Lindemann Davis & Hughes, P.A.  
P.O. Box 6923  
Columbia, SC 29260.

*Attorneys for Respondent The Callawassie Island Members Club, Inc.*

A copy of the sent e-mail is enclosed with this Proof of Service.

---

Ian S. Ford  
*Ian.Ford@FordWallace.com*  
FORD WALLACE THOMSON LLC  
715 King St., Charleston, SC 29403  
(843) 277-2011  
*Attorneys for Petitioners*

**From:** Ian Ford [ian.ford@fordwallace.com](mailto:ian.ford@fordwallace.com)  
**Subject:** Joint Request Of Mark K. Quinn And The Callawassie Island Members Club, Inc.,  
**Date:** April 24, 2020 at 2:23 PM  
**To:** Dawes Cooke [mdc@barnwell-whaley.com](mailto:mdc@barnwell-whaley.com), John Fletcher [jfletcher@barnwell-whaley.com](mailto:jfletcher@barnwell-whaley.com), Stephen Hughes [sphughes@hgpha.com](mailto:sphughes@hgpha.com), [andrew@ldh-law.com](mailto:andrew@ldh-law.com)  
**Cc:** Neil Thomson [Neil.Thomson@FordWallace.com](mailto:Neil.Thomson@FordWallace.com), Ainsley Tillman [Ainsley.tillman@fordwallace.com](mailto:Ainsley.tillman@fordwallace.com)  
**Bcc:** Ian Ford [Ian.Ford@FordWallace.com](mailto:Ian.Ford@FordWallace.com)



Dear Dawes, John, Steve, and Andrew,

Attached please find a copy of the Joint Request Of Mark K. Quinn And The Callawassie Island Members Club, Inc., being filed with the Court of Appeals today by fax.

The Supreme Court's Coronavirus Emergency Order specifies that service by email alone is sufficient, but please let us know if you would like us to mail you a paper copy as well.

Best,  
Ian



QUINN JOINT  
SUBMI...AL.pdf

**RECEIVED**  
**Apr 24 2020**  
**SC Court of Appeals**

**FORD WALLACE THOMSON LLC**  
.....  
ATTORNEYS AT LAW

**Ian S. Ford**  
FORD WALLACE THOMSON LLC  
715 King Street | Charleston, S.C. 29403  
843.608.1234 | [www.FordWallace.com](http://www.FordWallace.com)

# FORD WALLACE THOMSON LLC

ATTORNEYS AT LAW

24 April 2020

*By fax: 803-734-1839  
and first class mail*

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
The South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**

**Apr 24 2020**

**SC Court of Appeals**

**Re: Joint Request Of Mark K. Quinn And The Callawassie Island Members Club, Inc.**

*The Callawassie Island Members Club, Inc., Respondent, v. Mark K. Quinn and Sherry B. Quinn, Defendants (Mark K. Quinn, Appellant)*  
Appellate Case No. 2015-000001

Dear Ms. Kitchings:

On behalf of Appellant Mark K. Quinn, enclosed for filing please find (a) Joint Request of Mark K. Quinn and the Callawassie Island Members Club, Inc., (b) Proof of Service, and (c) filing fee.

It is our understanding from the Supreme Court's Order regarding Operation of the Appellate Courts During the Coronavirus Emergency, dated March 20, 2020, that (a) filing by fax alone is sufficient; (b) service on other counsel by email to their AIS email addresses is sufficient. Please let us know if those understandings are not correct, or if you require anything else from us.

In accordance with the Supreme Court's order, the filing fee check will be mailed to the Court within five days.

With kind regards, I am,

Very truly yours,



Ian S. Ford  
(843) 608-1234  
Ian.Ford@FordWallace.com

cc: All counsel of record (by e-mail to AIS addresses)