

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

FRANCIS O. JOHNSON,

Plaintiff,

vs.

MASON C. HEYWARD, BERKELEY
ELECTRIC COOPERATIVE, INC., and
CLEMENTINE RAVENEL,

Defendants.

MASON C. HEYWARD,

Crossclaim Plaintiff,

vs.

FRANCIS O. JOHNSON and
CHARLESTON COUNTY, a political
Subdivision of the State of South Carolina,

Crossclaim Defendants,

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO. 08-CP-10-1054

FILED
2011 NOV 10 AM 11:22
JULIE J. ARMSTRONG
CLERK OF COURT
BY [Signature]

CONSENT ORDER

RECEIVED
APR 27 2011
SC Court of Appeals

WHEREAS, Ralph L. Haynes, M.D., was a partner or principal in the Nautilus Group, a South Carolina Partnership; the Atlanta Respiratory Care, P.A.; and the Equity Trust Company, all owners of a parcel of property of approximately 12 acres—TMS No. 204-00-00-017 butting on Resurrection Road; and

WHEREAS, the property in question was at all times provided ingress/egress by Resurrection Road to and from Betsy Kerrison Boulevard; and

WHEREAS, Ralph L. Haynes, M.D. and Equity Trust Company, the present owners of that parcel of property, are parties needed for adjudication of the issues in the within matter under Rule 19 of the S.C. Rules of Court; and

WHEREAS, the said Ralph L. Haynes, M.D. by letter dated October 8, 2010 entered his pro se answer and that letter together with his letter of April 8, 2011, effectively places Dr. Haynes and the entities he represents into an adversarial position to Mason C. Heyward, the Crossclaim Plaintiff and Charleston County, a political subdivision of the State of South Carolina, the Crossclaim Defendant, and he and the entities that he represents should be able to seek and secure representation and enter pleadings in support of his position; and

WHEREAS, Dr. Haynes is at the Landstuhl Regional Medical Center in Germany and has just recently retained counsel with the firm of Oberman & Oberman in Charleston County, South Carolina.

NOW, THEREFORE, on Motion of Oberman & Oberman, LLC, Attorneys for Francis O. Johnson, with the consent of the McDowell Law Offices, counsel for Mason C. Heyward, it is

ORDERED that:

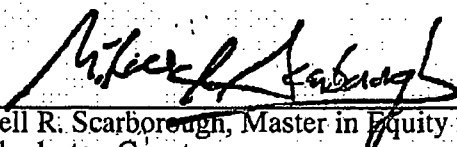
FIRST: Ralph L. Haynes, M.D. and the entity which now holds title to the property known as parcel 17 be allowed to enter their answer or other pleadings and conduct discovery as is necessary to protect the interest of those parties;

SECOND: The continuation of the hearing on January 20, 2010 now scheduled for October 25, 2011 be continued to a date after supplemental pleadings and discovery are completed and held at the earliest convenience of the Court;

THIRD: In the event that Ralph L. Haynes, M.D. is unable to attend the continuation of the trial of the matter, that he be allowed to have his testimony entered by video deposition, subject to cross examination, or teleconferencing.

AND IT IS SO ORDERED.

Charleston, South Carolina
October 20, 2011.


Mikell R. Scarborough, Master in Equity for
Charleston County

ON MOTION OF:

OBERMAN & OBERMAN, LLC

BY: 

Marvin I. Oberman, Attorney for Plaintiff
104 Church Street
Charleston, SC 29401
(843) 577-7010

WITH CONSENT OF:

McDOWELL LAW FIRM 

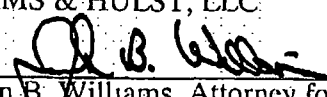
BY: 

John Edward Robinson, Attorney for Defendant
and Crossclaim Plaintiff, Mason C. Heyward
36 Broad Street
Charleston, SC 29401
(843) 723-5152

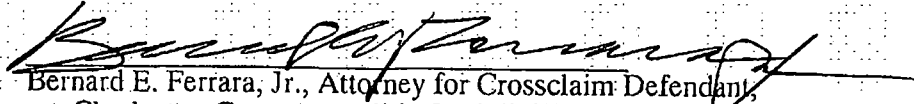
WITH CONSENT OF:

WILLIAMS & HULST, LLC

BY:


John B. Williams, Attorney for Defendant
Berkeley Electric Cooperative, Inc.
209 East Main Street
Moncks Corner, SC 29461
(843) 761-8232

WITH CONSENT OF:



Bernard E. Ferrara, Jr., Attorney for Crossclaim Defendant,
Charleston County, a political subdivision of the State
of South Carolina
Deputy County Attorney
County of Charleston
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