

STATE OF SOUTH CAROLINA
 COUNTY OF CHARLESTON
 IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2008 CP-10-1054

RECEIVED

JUN 01 2020

FRANCIS O. JOHNSON

MASON C HEYWARD, ET AL

SC Court of Appeals

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41, SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award, Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

FILED
 2011 NOV 10 AM 11:22
 JULIE J ARMSTRONG
 CLERK OF COURT

NOTE ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : CONSENT ORDER

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

3062

Judge Code

Date

[Handwritten Signature]

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

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 

CONSENT ORDER

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:

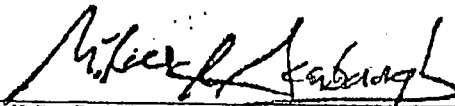
FIRST: Ralph L. Haynes, M.D. and the entity which now holds title to the property known as parcel 17 be allowed to enter their answer or other pleadings and conduct discovery as is necessary to protect the interest of those parties;

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.

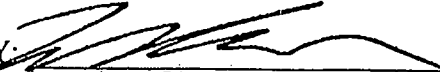
AND IT IS SO ORDERED.

Charleston, South Carolina
October 30, 2011.

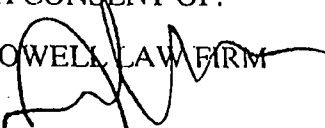

Mikell R. Scarborough, Master in Equity for
Charleston County

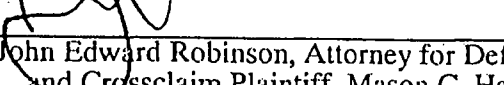
ON MOTION OF:

OBERMAN & OBERMAN, LLC

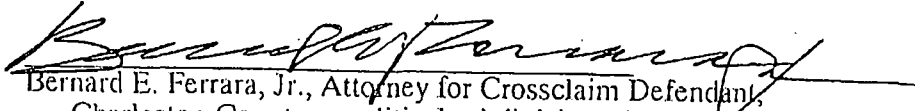
BY: 
Marvin I. Oberman, Attorney for Plaintiff
104 Church Street
Charleston, SC 29401
(843) 577-7010

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:



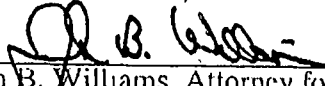
Bernard E. Ferrara, Jr., Attorney for Crossclaim Defendant,
Charleston County, a political subdivision of the State
of South Carolina

Deputy County Attorney
County of Charleston
4045 Bridge View Drive
N. Charleston, SC 29405
(843) 958-4010

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