

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2020CP4601641

Evolve Softworks Llc
PLAINTIFF(S)

Anthony Burkett
DEFENDANT(S)

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(a), 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
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

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:


After the consideration by the Court, Defendant's Motion to Dismiss in the above referenced case is Granted, it is so ordered.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/25/2020 .



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Jul 31 2020

SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

ELECTRONICALLY FILED - 2020 Jun 25 12:14 PM - YORK - COMMON PLEAS - CASE#2020CP4601641

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



York Common Pleas

Case Caption: Evolve Softworks Llc VS Anthony Burkett
Case Number: 2020CP4601641
Type: Order/Electronic Form 4

So Ordered

s/Daniel D. Hall 2753

William Freeman

From: Hall, Daniel D. Law Clerk (Bryant Cannon) <dhallic@sccourts.org>
Sent: Monday, July 06, 2020 10:50 AM
To: William Freeman; Kenneth Raynor; fmacchiaverna@huntermaclean.com
Cc: Strait, Lynn
Subject: RE: Motion to Dismiss: 2020CP4601641-Evolve Softworks LLC v. Anthony Burkett

Good Morning,

Judge Hall received 2 orders in his queue on behalf of Evolve Softworks with regard to the above-referenced case asking to vacate the judgment and alter/amend the form 4 to grant the motion to dismiss **Without Prejudice**. The court stands by its prior ruling granting the Defendant's Motion to Dismiss with prejudice and will remove these orders from its queue.

Thank you,

Bryant T. Cannon, Esq.
Law Clerk
To The Honorable Judge Daniel D. Hall
Chief Administrative Judge of the Sixteenth Judicial Circuit
1675 York Hwy, York, SC 29745
T: (803) 818-6806
E: DhallLC@sccourts.org

From: William Freeman <william@freemanfreemanlaw.com>
Sent: Thursday, June 25, 2020 11:16 AM
To: Hall, Daniel D. Law Clerk (Bryant Cannon) <dhallic@sccourts.org>; Kenneth Raynor <Ken@Raynorlawfirm.com>; fmacchiaverna@huntermaclean.com
Cc: Strait, Lynn <Lynn.strait@yorkcountygov.com>
Subject: RE: Motion to Dismiss: 2020CP4601641-Evolve Softworks LLC v. Anthony Burkett

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. *******

Dear Bryant Cannon:

Thank you for the email. If the Court's current inclination is dismissal, could the Plaintiff respectfully request the Court grant us until next week to amend the complaint to include additional facts and dates to address the statute of limitations issue?

Thank you.

Will

William S. F. Freeman
Freeman & Freeman, LLC

telephone: (864) 478-8878
Post Office Box 383
Greenville, South Carolina 29602
william@freemanfreemanlaw.com

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From: Hall, Daniel D. Law Clerk (Bryant Cannon) <dhalllc@sccourts.org>
Sent: Thursday, June 25, 2020 9:57 AM
To: Kenneth Raynor <Ken@Raynorlawfirm.com>; William Freeman <william@freemanfreemanlaw.com>;
fmacchiaverna@huntermaclean.com
Cc: Strait, Lynn <Lynn.strait@yorkcountygov.com>
Subject: Motion to Dismiss: 2020CP4601641-Evolve Softworks LLC v. Anthony Burkett

Good Morning Counsel,

I hope you all are well. The Defendant's Motion to Dismiss in the above-referenced case is **Granted**. A Form 4 reflecting this ruling will be filed and signed within the week. Have a great weekend.

Warm Regards,

Bryant T. Cannon, Esq.
Law Clerk
To The Honorable Judge Daniel D. Hall
Chief Administrative Judge of the Sixteenth Judicial Circuit
1675 York Hwy, York, SC 29745
T: (803) 818-6806
E: DhallLC@sccourts.org

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