

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas for the Ninth Circuit

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Sep 16 2020

The Honorable Bentley Price, Circuit Court Judge

SC Court of Appeals

Case. No. 2019-CP-10-00178
App. No. 2020-000925

J. Daniel Mahoney.....Respondent,

v.

The Muhler Company, Inc. and Henry Hay.....Appellants.

CONSENT MOTION TO STAY BRIEFING DEADLINES PENDING
DECISION OF CONSENT MOTION TO CONSOLIDATE APPEALS

BACKGROUND/ ANALYSIS

Currently before the South Carolina Supreme Court is a Consent Motion to Consolidate Appeals filed September 1, 2020.

The first appeal is currently pending before the Supreme Court pursuant to the Court’s Order granting Writ of Certiorari dated August 7, 2020 and relates to an arbitration proceeding between the above-entitled parties and the Honorable Bentley Price’s ruling on the composition of the arbitration panel [Supreme Court Case No. 2020-000370].

Currently before the Court of Appeals is an appeal between these same parties related to another issue arising out of the same arbitration and dealing with a different ruling by the

Honorable Bentley Price [App. No. 2020-000925]. Specifically, this second appeal deals with Judge Price's Denial of a motion to confirm an arbitration award arising out of an employment dispute between these parties.

In an Order dated September 4, 2020, the Supreme Court granted Petitioners the Muhler Company, Inc., and Henry Hay III an extension of time to file their brief pending the resolution of the motion to consolidate appeals. Specifically, the Order states: "The motion for an extension of time is granted, and the time to serve and file petitioners' brief is held in abeyance pending resolution of the motion to consolidate." Order at page 1.

Based on judicial economy and fairness to all parties, Respondent hereby requests that this Honorable Court hold in abeyance the briefing schedule for Appeal No. 2020-000925 until the Consent Motion to Consolidate Appeals is decided by the Supreme Court. Petitioners have consented to this request; therefore, this Motion is presented as a Consent Motion.

Granting this motion will cause no prejudice to either party and will promote fairness and judicial efficiency.

WE CONSENT:

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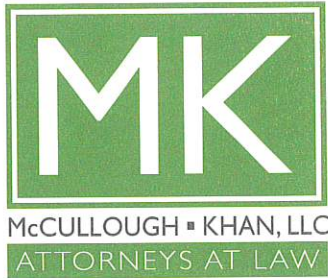
ATTORNEY FOR RESPONDENT

September 16, 2020

s/Jaan G. Rannik
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September 16, 2020



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SC Court of Appeals

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

Re: J. Daniel Mahoney v. The Muhler Company, Inc. and Henry Hay, III
Case No.: 2019-CP-1000178
Appellate Case No.: 2020-000925

Dear Ms. Kitchings:

I hope this finds you well. Enclosed please find our firm's check in the amount of \$50.00 to cover the filing fee associated with the Consent Motion to Stay Briefing Deadlines Pending Decision of Consent Motion to Consolidate Appeals which was electronically filed using the AIS e-filing system today, September 16, 2020.

Thanks in advance for your assistance with this matter and please do not hesitate to contact me if you have any questions or need anything further. With kind regards, I remain

Sincerely yours,

McCULLOUGH KHAN, LLC

Clayton B. McCullough

CBM:kbn

Enclosure

cc: Jaan G. Rannik, Esq. (*via e-mail only*)