

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Alex Kinlaw, Jr., Circuit Court Judge

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Case No. 2012-CP-23-02887

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**RECEIVED**  
**Dec 17 2020**  
SC Court of Appeals

DAVID WILSON, INDIVIDUALLY AND DERIVATIVELY ON BEHALF OF CAROLINA  
CUSTOM CONVERTING, LLC, ..... Plaintiff,

vs.

JOHN GANDIS, ANDREA COMEAU-SHIRLEY, ZOI FILMS, LLC, AND CAROLINA  
CUSTOM CONVERTING, LLC, ..... Defendants,

JOHN GANDIS AND ANDREA COMEAU-SHIRLEY, ..... Third-Party Plaintiffs,

vs.

CAROLINA CUSTOM CONVERTING, LLC,  
..... Third-Party Defendant and Counterclaim Plaintiff,

vs.

DAVID WILSON, STEVE NORVELL, NEOLOGIC DISTRIBUTION, INC. AND FRESH  
WATER SYSTEMS, INC.,

OF WHOM DAVID WILSON is the.....Respondent,

and

CAROLINA CUSTOM CONVERTING, LLC, is the..... Appellant.

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**MOTION TO SUSPEND APPEAL**

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Pursuant to Rule 240, SCACR, Appellant Carolina Custom Converting, LLC (“CCC” or the Company), with the consent of Respondent David Wilson (“Mr. Wilson”), hereby moves the Court to suspend the above captioned appeal pending further action by the lower court. On

December 1, 2020, CCC filed an appeal from two orders (an original order and a Rule 59(e), SCRCPP, order) issued by the lower court. These orders were issued following a hearing conducted after the Supreme Court issued the remittitur in this case on June 22, 2020. Notwithstanding these orders, at least one other legal issue requires resolution by the lower court before the present appeal is ripe to proceed. The parties are informed and believe that the lower court will proceed to a resolution of the remaining issues, including at least one legal issue in the near term. Accordingly, CCC and Mr. Wilson hereby request that the Court suspend the current appeal pending a further order from the lower court. In the event the Court issues an Order staying the appeal, the Appellant proposes to submit a status report every 30 days apprising the Court of the lower court proceedings.

Dated December 17, 2020

Respectfully submitted,

**BURL F. WILLIAMS, P.A.**

s/ Burl F. Williams

Burl F. Williams (S.C. Bar No. 77901)

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Greenville, South Carolina 29601

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*Counsel for Carolina Custom Converting, LLC*

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JOHN GANDIS AND ANDREA COMEAU-SHIRLEY, ..... Third-Party Plaintiffs,

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vs.

DAVID WILSON, STEVE NORVELL, NEOLOGIC DISTRIBUTION, INC. AND FRESH  
WATER SYSTEMS, INC.,

OF WHOM DAVID WILSON is the.....Respondent,

and

CAROLINA CUSTOM CONVERTING, LLC, is the..... Appellant.

**PROOF OF SERVICE**

I certify that on December 17, 2020, I served the Motion to Suspend Appeal by sending a  
copy of the same to the email address for Respondent David Wilson, counsel of record as identified  
in the Attorney Information System pursuant to Supreme Court *Order Re: Operation of the*

*Appellate Courts During the Coronavirus Emergency* (g)(3). Specifically, I certify that a copy was sent to: aarnold@hortonlawfirm.net. A copy of the sent email is attached as *Exhibit 1* to this certificate of service.

Dated December 17, 2020

Respectfully submitted,

**BURL F. WILLIAMS, P.A.**

s/ Burl F. Williams

Burl F. Williams (S.C. Bar No. 77901)

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Greenville, South Carolina 29601

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[burl@burlfwilliams.com](mailto:burl@burlfwilliams.com)

***Counsel for Carolina Custom Converting, LLC***

THE STATE OF SOUTH CAROLINA  
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JOHN GANDIS AND ANDREA COMEAU-SHIRLEY, ..... Third-Party Plaintiffs,

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WATER SYSTEMS, INC.,

OF WHOM DAVID WILSON is the.....Respondent,

and

CAROLINA CUSTOM CONVERTING, LLC, is the..... Appellant.

**EXHIBIT 1 PROOF OF SERVICE**

**From:** [Burl Williams](#)  
**To:** ["Andy Arnold"](#)  
**Subject:** Wilson v. Gandis, C/A No. 2012-CP-23-02887: Motion to Suspend Appellate Proceedings  
**Date:** Thursday, December 17, 2020 10:21:00 AM  
**Attachments:** [Final Motion to Suspend.pdf](#)  
[image001.png](#)

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Andy:

As we discussed, attached is the motion to suspend appeal in this matter. I will be filing this today.

Burl

Burl F. Williams  
201 Riverplace, Suite 500  
Greenville, South Carolina 29601  
[burl@burlfwilliams.com](mailto:burl@burlfwilliams.com)  
[www.burlfwilliams.com](http://www.burlfwilliams.com)  
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December 17, 2020

SENT VIA EMAIL TO: CTAPPFILINGS@SCCOURTS.ORG

**RECEIVED**

**Dec 17 2020**

**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

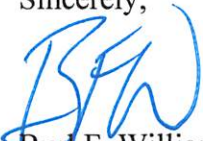
Re: *David Wilson, et al. v. John Gandis, et al., C/A No. 2012-CP-23-02887,  
Of Whom Carolina Custom Converting, LLC is the Appellant and David Wilson is  
the Respondent*

Dear Ms. Kitchings:

Enclosed please find Appellant Carolina Custom Converting, LLC's Motion to Suspend the Appeal. In addition, today I have placed a check in the mail for \$50.00 representing the filing fee for the motion.

Please contact my office with any questions.

Sincerely,

  
Burl F. Williams

CC:

W. Andrew Arnold, Esq. (E-mail: aarnold@hortonlawfirm.net)