

The South Carolina Court of Appeals

David Hannemann, as President of the Live Oak Village
Homeowner's Association, Inc., Respondent,

v.

William McFarland, Appellant.

Appellate Case No. 2020-001029

ORDER

Appellant has appealed the master-in-equity's August 13, 2020 order granting summary judgment in favor of Respondent, finding Respondent was the president of the Live Oak Village Homeowner's Association (the HOA) and denying Appellant's motion for summary judgment. The order also required Appellant to close a bank account "currently used by him as the [HOA's] bank account" and transfer certain documents and information to Respondent within ten days of the order, including: all of the HOA's books and records in Appellant's possession, information on any person or entity holding other books or records belonging to the HOA as Appellant was aware, and bank statements for the preceding seventy-two months.

Appellant has not delivered the documents, and the master scheduled a hearing on the rule to show cause for December 16, 2020. Appellant has served and filed a motion requesting this court stay the rule to show cause hearing. Respondent filed a return, indicating the master decided not to hold the December 16, 2020 rule to show cause hearing pending further consideration or direction from this court, and Appellant filed a reply.

After careful consideration of the parties' filings, the rule to show cause hearing shall be stayed upon the deliverance of the documents in question to the master by the end of the day on December 22, 2020. *See* S.C. Code Ann. § 18-9-150 (2014). This court directs the parties that the master shall be the authority for the identification of the items Appellant was ordered to transfer in the August 13, 2020

order for the purpose of compliance with this order. Upon deliverance of the documents to the master, the August 13, 2020 order shall be stayed pending the resolution of this appeal. The master shall make such arrangements in this matter as he deems necessary as to the bank account and the documents.



FOR THE COURT

Columbia, South Carolina

cc:

James Bernard Hood, Esquire
Virginia Rogers Floyd, Esquire
Russell Grainger Hines, Esquire
The Honorable James E. Chellis
The Honorable Cheryl L. Graham

FILED
Dec 21 2020