

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

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2012-CP-20-356

ELECTRONICALLY FILED - 2021 Jul 20 11:55 AM - FAIRFIELD - COMMON PLEAS - CASE#2012CP2000356

Blythewood Oil Co., Inc.

Shinda Singh, Five Rivers, Inc., and Singh, Inc.

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or 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(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 _____
- 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:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk:

This matter is before the Court on a motion for reconsideration filed on behalf of the Plaintiff Blythewood Oil Co., Inc. ("Blythewood Oil") on July 28, 2020. "A motion to alter or amend ... shall be served no later than 10 days after ... entry of the order." Rule 59(e), SCRPC. Rule 59(g), SCRPC further requires "a party filing a written motion under this rule *shall provide a copy of the motion to the judge* within ten (10) days after filing of the motion." (emphasis added)

Counsel for the Plaintiff failed to serve its motion on the Court. The Court was notified of this motion by co-counsel when he submitted a letter in support of Plaintiff's motion on March 31, 2021. Notwithstanding, Plaintiff's failure to serve the court as required by Rule 59(g) the Court considered Plaintiff's request to amend the Order filed July 17, 2020 finding for the Defendant.

Plaintiff's Motion to Reconsider states the Court's Order incorrectly states (1) that "On March 18, 2009, Jessie Singh, as President of Gill and Gas, LLC, signed a Confidential Commercial/Wholesale Credit Application provided by the Plaintiff...", (2) that "On March 18, 2009, Jessie Singh, as President of Gill and Gas No. 2, LLC, signed a Confidential Commercial Wholesale/ Credit Application provided by Blythewood Oil...", and (3) that there is no evidence that the Plaintiff relied on any act or statement by Jessie Singh to indicate that he was an agent or a partner on behalf of the Defendants.

RECEIVED

AUG 27 2021

SC Court of Appeals

