

STATE OF SOUTH CAROLINA
In the Supreme Court

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Oct 11 2021

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Eleventh Circuit

Markley R. Dennis, Jr., Circuit Court Judge

Appellate Case 2021- 000070

South Carolina Department of Commerce,
Division of Public Railways,

Respondent,

v.

Clemson University,

Respondent,

and

Charleston County School District,

Appellant.

JOINT MOTION TO DISMISS OR WITHDRAW

This matter comes before the Court on the joint motion of Appellant Charleston County School District (“CCSD”) and Respondent South Carolina Department of Commerce, Division of Public Railways (“Railways”).¹

CCSD filed this appeal on January 11, 2017, seeking review of the Circuit Court’s decision granting transfer of the case to the non-jury roster. The Court of Appeals issued an opinion in favor of Railways on November 18, 2020. CCSD sought rehearing which was denied on December 23, 2020. On January 20, 2021, CCSD filed a Petition for Writ of Certiorari with

¹ Railways resolved its dispute with Clemson University prior to this appeal and Clemson has made no appearance in this appeal.

this Court.

While the Petition was pending, the parties agreed to mediate the matter. On August 25, 2021, the mediation took place and the parties reached a resolution. Thus, the issues raised in Appellant's Petition for Writ of Certiorari are moot. Therefore, CCSD and Railways jointly move to dismiss or withdraw the Petition.

s/ M. Dawes Cook, Jr.
M. Dawes Cook, Jr.
John W. Fletcher
Barnwell, Whaley, Patterson & Helms, LLC
211 Kin Street, Suite 400 (20401)
P.O. Drawer H
Charleston, SC 29402
(843)577-7700

s/ Abigail B. Walsh
Abigail B. Walsh, Esquire
WILLIAMS & WALSH, LLC
125-A Wappoo Creek Drive, Suite 202
Charleston, South Carolina 29412
(843)722-0157

s/ Christopher L. Murphy
Christopher L. Murphy, Esquire
Murphy Law Offices, LLC
Post Office Box 2008
Mt. Pleasant, South Carolina 29465-2008
(843) 278-9025

ATTORNEYS FOR APPELLANT
CHARLESTON COUNTY SCHOOL
DISTRICT

Date: October 11, 2021

s/ Keith M. Babcock
Keith M. Babcock
Ariail E. King
LEWIS BABCOCK L.L.P.
1513 Hampton Street
Post Office Box 11208
Columbia, South Carolina 29211
(803) 771-8000

Karen Blair Manning
South Carolina Department of Commerce
Division of Public Railways
1201 Main Street, Suite 1600
Columbia, South Carolina 29201
(803)737-1603

Derek F. Dean
SIMONS & DEAN
147 Wappoo Creek Drive, Suite 604
Charleston, South Carolina 29412
(843) 762-9132

Stephen A. Spitz
Spitz and Neville, LLC
151 Meeting Street, Suite 350
Charleston, South Carolina 29401
(843)414-5085

ATTORNEYS FOR RESPONDENT
SOUTH CAROLINA DEPARTMENT OF
COMMERCE, DIVISION OF PUBLIC
RAILWAYS

Dated: October 11, 2021