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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Alex Kinlaw, Jr.
Case No. 2017-CP-10-5382
Appellate Case No. 2019-001125

South Carolina Department of Commerce,
Division of Public Railways,

Appellant,

v.

Gateway Properties of Greater Charleston, LLC,

Respondent,

and

NBSC a division of Synovus Bank, VFC Partners 15 LLC, Capella Carolinas, LLC,
Donivan Glassburn, and the Loft Pilates Center, LLC,

Other Condemnees.

JOINT MOTION TO DISMISS OR WITHDRAW

This matter comes before the Court on the joint motion of Appellant South Carolina Department of Commerce, Division of Public Railways (“Railways”) and Respondent Gateway Properties of Greater Charleston, LLC (“Gateway”).

Railways filed this appeal on July 10, 2019. Briefing was completed in February 2020. While this matter was pending, the parties continued negotiations and reached a settlement

agreement, effective January 14, 2022. Thus, the issues raised in this appeal are moot.

Therefore, Railways and Gateway jointly move to dismiss or withdraw the appeal.

s/David L. Paavola

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

Dated: February 3, 2022

The E-Filer has obtained the required consent to insert the electronic signature(s) of the other Authorized E-Filer(s) to this motion.

s/G. Trenholm Walker

G. Trenholm Walker, S.C. Bar 5777
John P. Linton, Jr., S.C. Bar 79130
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ATTORNEYS FOR RESPONDENT
GATEWAY PROPERTIES OF
GREATER CHARLESTON, LLC

Dated: February 3, 2022



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SC Court of Appeals

VIA EMAIL

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

Re: SC Department of Commerce v. Gateway Properties
Appellate Case No. 2019-001125

Dear Ms. Kitchings:

Enclosed for filing please find a Joint Motion to Dismiss or Withdraw for the above referenced matter. Pursuant to paragraph (c) of the Supreme Court's amended administrative order dated August 25, 2021, a check for the filing fee is being delivered via U.S. mail.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Paavola', written over a light blue horizontal line.

David L. Paavola

DLP:pkm
Enclosure

cc: G. Trenholm Walter, Esquire