

RECEIVED

Feb 07 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARELSTON COUNTY
Court of Common Pleas

The Honorable Bentley Price, Circuit Court Judge

Gregory
Muxlow.....Appellant,

v.

Ruby Tuesday, KC Mulligan’s, St. Ive’s and Carroll Management
Group.....Respondents.

Appellate Case No. 2020-000129

**RETURN TO RUBY TUESDAY’S UPDATE REGARDING THE STATUS OF THE
BANKRUPTCY ACTION AND MOTION FOR LEAVE TO LIFT AUTOMATIC STAY
TO FILE MOTION TO CLARIFY JANUARY 8, 2021, FORM 4 ORDER IN
UNDERLYING ACTION**

The parties recently settled the remaining claims in the underlying action. Part of that settlement includes a dismissal of this appeal, each party to bear its own costs. A settlement approval hearing is scheduled in the Charleston County Court of Common Pleas for February 28, 2022. Upon approval of the settlement, this appeal will be dismissed and all claims remaining in this action in the Court below will be dismissed. The appellant therefore believes that a substantive response is not required. To the extent a substantive response is required, the appellant relies on prior filings and prior judgments in the Court below. The appellant will, of course, provide any other information required by the Court.

February 7, 2022

Respectfully submitted,

s/ Joshua T. Hawkins

Joshua T. Hawkins, S.C. Bar #78470
Helena L. Jedziniak, S.C. Bar #100825
Hawkins & Jedziniak, LLC
1225 South Church Street
Greenville, South Carolina 29605
(864) 275-8142 (telephone)
(864) 752-0911 (facsimile)
josh@hjllcsc.com
helena@hjllcsc.com
Attorneys for Appellants

Copies:

Catharine Griffin
Baker Ravenel Bender
Attorney for Respondent Ruby Tuesday

Christopher Lizzi
Lizzi Law Firm, PC
Attorney for Respondent KC Mulligan's

Jack G. Gresh,
Elizabeth Fulton Morrison
Hall Booth Smith, PC
Attorney for Respondent Carroll Management Group

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

RECEIVED

Feb 07 2022

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

The Honorable Bentley Price, Circuit Court Judge

Gregory Muxlow.....Appellant,

v.

Ruby Tuesday, KC Mulligan’s St. Ive’s and Carroll Management
.....Respondents.

Appellate Case No.: 2020-000129

PROOF OF SERVICE

I certify that I filed Appellant’s Return to Ruby Tuesday’s Update Regarding the Status of the Bankruptcy Action and Motion for Leave to Lift Automatic Stay to File Motion to Clarify January 8, 2021 Form 4 order in Underlying Action, with the Clerk of Court of the South Carolina Court of Appeals, by electronic filing on February 7, 2022, to ctapfilings@sccourts.org. Additionally, all counsel of record has been served via electronic mail to the following electronic mailing addresses: cgriffin@brblegal.com, jgresh@hallboothsmith.com, emorrison@hallboothsmith.com, lizzilaw@aol.com, lizzilawfirm@aol.com.

February 7, 2022

s/Joshua T. Hawkins

Joshua T. Hawkins, S.C. Bar #78470

Helena L. Jedziniak, S.C. Bar #100825

Hawkins & Jedziniak, LLC

1225 South Church Street

Greenville, South Carolina 29605

(864) 275-8142 (telephone)

(864) 752-0911 (facsimile)

josh@hjllesc.com

helena@hjllesc.com

Attorneys for Appellants

Copies: via electronic mail only

Catharine Griffin
Baker Ravenel Bender
Attorney for Respondent Ruby Tuesday

Christopher Lizzi
Lizzi Law Firm, PC
Attorney for Respondent KC Mulligan's

Jack G. Gresh,
Elizabeth Fulton Morrison
Hall Booth Smith, PC
Attorneys for Respondent Carroll Management Group



RECEIVED

Feb 07 2022

SC Court of Appeals

February 7, 2022

Ms. Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *Gregory Muxlow v. Ruby Tuesday, KC Mulligan's, St. Ives and Carroll Management Group*
Appellate Case No.: 2020-000129

Dear Ms. Kitchings,

Enclosed for filing, please find the Appellant's Return to Ruby Tuesday's Update Regarding the Status of the Bankruptcy Action and Motion for Leave to Lift Automatic Stay to File Motion to Clarify January 8, 2021 Form 4 order in Underlying Action, along with a Proof of Service.

Should the Court need anything further, please do not hesitate to reach out to our office.

Sincerely,


Monica Brody
Certified Paralegal

enclosures

CC: electronic mail only:

Catharine Griffin
Attorney for Respondent Ruby Tuesday

Christopher Lizzi
Attorney for Respondent KC Mulligan's

Jack G. Gresh, Elizabeth Fulton Morrison
Attorneys for Respondent Carroll Management Group