

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

68364

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Thomas W. Cooper, Jr., Special Referee

Appellate Case No.: 2013-000956

David A. Johnson, Susan Weisenburger, John Terman, Jr., Darcy A Terman, Paul Farese,
James Farese, Dennis Ducate, Joan Mclellan, David A. Demer, Christine A. Demer, and
Ginger Metts Richardson, Respondents,

v.

SVI Hospitality, LLC and National Bank of South Carolina, Defendants,

v.

Haricharan J. Mishra and Illa H. Mishra, Third-Party Plaintiffs,

v.

Superior Construction Corporation, Third Party Defendant,

v.

Of Whom National Bank of South Carolina is the Appellant.

CONSENT MOTION FOR STAY
PENDING SETTLEMENT

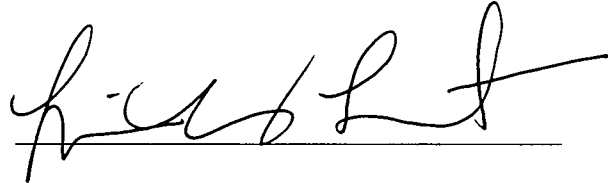
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MAY 13 2013

SC Court of Appeals

Pursuant to Rule 240, SCRAP, National Bank of South Carolina ("NBSC"), moves to stay this appeal pending the finalization of a settlement between the parties. At that time, the

parties will submit an agreement of dismissal pursuant to Rule 231, SCACR. All parties to this appeal consent to the relief requested. If the matter does not settle, the parties will promptly advise the Court.

Respectfully submitted,



HAYNSWORTH SINKLER BOYD, P.A.

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Attorneys for Appellant NBSC

May 13, 2013

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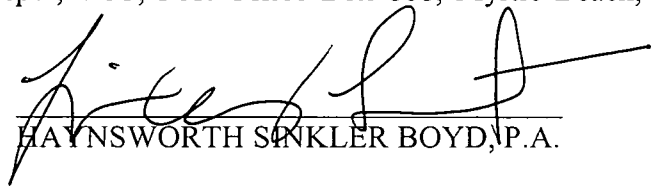
MAY 13 2013

PROOF OF SERVICE

SC Court of Appeals

I certify I have served the Consent Motion for Stay Pending Settlement by depositing a copy of it on May 13, 2013, addressed to the attorneys of record for Respondents: Daniel J. MacDonald, Esq., Anna S. Magann, Esq., Rice, MacDonald, Breeden & Hicks, P.A. , 950 48th Avenue North , Suite 200, Myrtle Beach, South Carolina 29577-5434 and Fred B.

Newby, Esq., Newby, Sartip, Masel & Casper, LLC, Post Office Box 808, Myrtle Beach,
South Carolina 29578-0808.



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May 13, 2013

VIA HAND DELIVERY

Tanya A. Gee, Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29211

RE: *David A. Johnson, et al. v. SVI Hospitality, LLC, National Bank of South Carolina, et al.*
Appellate Case No.: 2013-000956
HSB File No.: 06765.0573

Dear Ms. Gee:

With reference to the above matter, enclosed for filing are the original and seven (7) copies of the Consent Motion for Stay Pending Settlement and Proof of Service, along with a check for \$25.00 for the filing fee. Please return a clocked copy to me via my courier.

Sincerely,



Lindsey C. Livingston

LCL/se

cc: Daniel J. MacDorald, Esq.
Anna S. Magann, Esq.
Fred B. Newby, Esq.