

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

Dominion Energy Carolina Gas Transmission,
LLC,

Plaintiff,

v.

24.346 Acres, in Richland County, South
Carolina located on Parcel R13200-01-01; J.
LARRY FAULKENBERRY and JERRY K.
FAULKENBERRY,

Defendants.

Civil Action No.: 3:16-cv-01973-JMC

ORDER GRANTING CONSENT MOTION TO DISMISS

**24.346 Acres, in Richland County, South Carolina located on Parcel R13200-01-01;
J. LARRY FAULKENBERRY and JERRY K. FAULKENBERRY**

This case arises from Plaintiff Dominion Energy Carolina Gas Transmission, LLC's ("DECGT") exercise of its eminent domain powers pursuant to the Natural Gas Act ("NGA"), 15 U.S.C. § 717, *et seq.* and the applicable Federal Energy Regulatory Commission Certificate order. DECGT brought this action under the NGA and Rule 71.1 of the Federal Rules of Civil Procedure, seeking certain easements it requires in connection with its Eastover pipeline project. (ECF No. 1.)

This matter is before the court pursuant to a Consent Motion to Dismiss (ECF No. 85) filed by DECGT and Defendants 24.346 Acres, in Richland County, South Carolina located on Parcel R13200-01-01; J. LARRY FAULKENBERRY and JERRY K. FAULKENBERRY because the action has been fully resolved among and between the parties. In addition to dismissal, DECGT also seeks an order directing that the funds previously placed on deposit (\$10,200.00) with the Clerk of Court's office pursuant to ECF No. 27 be refunded to DECGT.

After considering the Motion and the parameters set forth in Rules 41 and 71.1 of the

Federal Rules of Civil Procedure, the court finds the relief requested is proper and **GRANTS** the parties' Consent Motion to Dismiss and dismisses this action. (ECF No. 85.) The court further orders the Clerk of Court to refund to DECGT the funds on deposit (\$10,200.00) pursuant to ECF No. 27 in this case.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

January 7, 2020
Columbia, South Carolina