

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Mary Fagnant, Brenda Dewitt-Williams)
and Betty Bey, as Power of Attorney for)
Brenda Dewitt-Williams,)

Plaintiffs,)

vs.)

Kathryn Michelle Johnson, Kmart)
Corporation, Kings Festival Corp., Inc. and)
Gator Investors, Inc.)

Defendants .)

CIVIL ACTION NO. 4:11-cv-00302-RBH

CONSENT ORDER

This matter is before me pursuant to an informal conference held on December 14, 2012 regarding Plaintiffs’ Motion To Compel Discovery Responses From Defendant Kmart Corporation filed on December 12, 2012. Plaintiff sent to Defendant Kmart Corporation Plaintiffs’ Second Request For Production of Documents on November 2, 2012. When no responses were received by Plaintiffs within thirty (30) days upon Defendant Kmart Corporations receipt thereof, Plaintiffs attempted in good faith to resolve the matter pursuant to Local Civil Rule 7.02. However, Plaintiffs did not receive the documents requested nor a response from Defendant Kmart Corporation. Thereafter, Plaintiffs filed the Motion To Compel and an informal conference was held between all counsel of record.

Pursuant to an agreement between Plaintiffs and Defendant Kmart Corporation, Plaintiffs shall withdrawal their Motion To Compel without prejudice and Defendant Kmart Corporation shall provide responses to Plaintiffs’ Second Request For Production of Documents To Defendant Kmart Corporation no later than December 31, 2012. Karl S. Brehmer, attorney for

Defendants Kings Festival Corp, Inc. and Gator Investors, Inc., has no objections herein. Thus, with the mutual consent of Ralph J. Wilson, Attorney for Plaintiffs, and John H. Tiller, attorney for Kmart Corporation, as evidenced by their consents affixed below, the parties seek an Order commanding Defendant Kmart Corporation to respond to Plaintiffs' Second Request For Production of Documents To Defendant Kmart Corporation no later than December 31, 2012. Therefore, I find Plaintiffs' Motion To Compel Discovery Responses From Defendant Kmart Corporation shall be withdrawn without prejudice and Defendant Kmart Corporation shall provide responses to Plaintiffs' Second Request For Production of Documents To Defendant Kmart Corporation no later than December 31, 2012.

AND IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

January 2, 2013
Florence, South Carolina

WE SO CONSENT:

Plaintiff(s)

/s/ Ralph J. Wilson

Ralph J. Wilson, Fed. ID No.4712
1411 First Avenue
P.O. Box 1827
Conway, South Carolina 29528
Telephone: (843) 381-0765
Facsimile: (843) 381-0767
Attorney for Plaintiffs

Defendant(s)

/s/John H. Tiller

John H. Tiller, Fed. ID No.4890
134 Meeting Street, Third Floor
P.O. Box 340
Charleston, SC 29401-2240
Telephone: (843) 722-3366
Facsimile: (843) 722-2266
Attorney for Defendant Kmart Corporation

/s/Karl S. Brehmer

Karl S. Brehmer, Fed ID No.: 5006
1720 Main Street, Suite 201
P.O. Box 7966
Columbia, SC 29202
(803) 771-6600
Attorney for Defendants Kings Festival Corp, Inc. and Gator Investors, Inc.