

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

Scottsdale Insurance Company, )  
)  
)  
Plaintiff, )

Civil Action No. 4:12-cv-01741-RBH

vs. )  
)

Hyperion Towers Homeowners Association, )  
Inc., Hyperion Towers Homeowners )  
Association Board of Directors, Jim )  
Alexander, John Baynes, Ferrell Blalock, )  
John Brinton, Wendell Burton, Sandra )  
Croney, D.A. Davis, Koy Dawkins, Gene )  
Estridge, Bob Gray, Barney High, Chet )  
Hirschy, Michael Huggins, Dan James, Russ )  
Jones, Carroll Little, John Markell, Bobby )  
Martin, Tony Maye, Dorothy McElwee, )  
George McGee, Tommy Mullins, Earl Phifer, )  
Ron Piracci, Luther Pitts, Osman Soyer, )  
Jerry Steffey, E.C. Tucker a/k/a Chuck )  
Tucker, Palmer Watson, Luke Whiteside, )  
Bill Williams, Rodney Wilson, Don Wright, )  
Mike Zager, and John Schuler, Helen )  
Schuler, Jeffrey Merrell, Elizabeth Merrell, )  
Kenneth Hartz, Jan Vaculcik, Barbara )  
Vaculcik, Gordon Price, Gaylene Price, )  
Bill Glassberg, and Diane Glassberg, )  
representing a class of similarly situated )  
persons, )  
)  
Defendants. )

**ORDER OF VOLUNTARY DISMISSAL**

Upon motion of the Plaintiff Scottsdale Insurance Company and with the consent of the below named Defendants, by and through their undersigned counsel who have appeared, this matter is hereby dismissed without prejudice pursuant to Rule 41(a)(2), Fed.R.Civ.P..

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

WE MOVE:

/s/ Thomas C. Salane  
Thomas C. Salane (Fed. ID# 3703)  
tsalane@turnerpadget.com  
TURNER, PADGET, GRAHAM & LANEY, P.A.  
Post Office Box 1473  
Columbia, S.C. 29202  
(803) 254-2200

ATTORNEYS FOR PLAINTIFF  
SCOTTSDALE INSURANCE COMPANY

WE CONSENT:

/s/ Lawrence B. Orr  
Lawrence B. Orr  
lbo@orrfirm.com  
Orr, Elmore and Ervin, LLC  
Post Office Box 2527  
Florence, SC 29503-2527  
(843) 667-6613

ATTORNEYS FOR HYPERION TOWERS HOA, INC., HYPERION  
TOWERS HOA BOARD OF DIRECTORS AND THEIR PAST OFFICERS  
AND DIRECTORS NAMED INDIVIDUALLY

/s/ William D. Britt, Jr.  
James L. Bruner  
jbruner@BrunerPowell.com  
William D. Britt, Jr.  
wbritt@BrunerPowell.com  
Bruner Powell Wall & Mullins, LLC  
Post Office Box 61110  
Columbia, S.C. 29260

ATTORNEYS FOR DEFENDANTS SCHULER, MERRELL,  
HARTZ, VACULCIK, PRICE AND GLASSBERG

/s/ D. Nichole Davis  
D. Nichole Davis  
nichole@rinehartlawsc.com  
1139 Ebenezer Road, Suite 102  
Rock Hill, S.C. 29732  
(803) 325-2280  
ATTORNEYS FOR DEFENDANT LUKE WHITESIDE