American Empire Surplus Lines Insurance Company v. Selective Insurance Company of the Southeast Doc. 22

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

FLORENCE DIVISION

American Empire Surplus Lines Insurance Company, Plaintiff, v. Selective Insurance Company of the Southeast, Defendant.	)	Civil Action No. 4:15-2218-RBH **CONSENT ORDER LIFTING STAY AND DISMISSING CASE WITH PREJUDICE**

By Text Order filed June 10, 2016, the Court granted a stay of this declaratory judgment action pending the resolution of the underlying action captioned Belyski v. King Kong Sushi Bar & Grill, LLC, Civil Action Number 2014-CP-26-1791. The Court is advised that the underlying action has been settled at mediation occurring on August 29, 2017, and that a Stipulation of Dismissal was filed in that action on March 16, 2018. As a result of that settlement and a prior agreement reached by the parties to this action regarding the allocation of a settlement, if reached, the issues raised by this declaratory judgment action have been fully resolved and are now moot. Based on the foregoing, the Court hereby lifts the stay previously entered in this action, and with the consent of the parties, this action is hereby dismissed with prejudice, with both sides being responsible for their own attorney's fees and costs.

IT IS SO ORDERED.

April 11, 2018
Florence, South Carolina

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

Dockets.Justia.com

WE SO MOVE AND CONSENT:

__s/ Brandon Gottschall_____
MARK S. BARROW #1220
BRANDON GOTTSCHALL #12201

Counsel for Plaintiff

__s/ Andrew F. Lindemann_____
ANDREW F. LINDEMANN #5070

Counsel for Defendant