

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

LOWES FOODS, LLC,) Civil Action No. 4:16-cv-00354-RBH
)
Plaintiff,)
)
vs.)
) **CONSENT ORDER RESOLVING**
) **DISCOVERY DISPUTE**
)
BURROUGHS & CHAPIN)
COMPANY, INC.; GRANDE DUNES)
DEVELOPMENT COMPANY, LLC;)
and MYRTLE BEACH FARMS)
COMPANY, INC,)
)
Defendants.)
)
_____)

As agreed to by the parties to this Consent Order during their March 7, 2018 teleconference with the Court, Plaintiff shall produce the following information in response to Defendants' Request For Production 10:

1. Individual annual income statements (that include EBITDA) for the last five years for each of the following Lowes Foods stores: Little River (# 223), Myrtle Beach South Strand (#232), Murrells Inlet (#233), Myrtle Beach Carolina Forest (#240), and Pawleys Island (#259).
2. If no such statements are available, Plaintiff will produce individual periodic income statements (that include EBITDA) for each of the aforementioned stores just as it did for the Grande Dunes Lowes Foods store (#234) in response to Defendants' Request for Production 12. (*See* Pl.'s Resp. to Defs.' Req. for Produc. No. 12.)

All information produced pursuant to this Consent Order shall be subject to the Confidentiality Order on file for this case. (*See* Consent Confidentiality Order, ECF No. 27.)

IT IS SO ORDERED.

March 12, 2018
Florence, South Carolina

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

We Consent: /s/ Mark W. Kinghorn
Counsel for Plaintiff

/s/ Cory E. Manning
Counsel for Defendants