

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

Jill Keck Humphries, Dennis L. Johnson,)
Delona Penny Rice, and Whitmel L.)
Brown, Individually and in a)
Representative Capacity on Behalf of All)
Persons Similarly Situated Who Own)
Units in Buildings I, II, III, IV, V, VI, VII,)
VIII, IX, X, XI and XII of the Tilghman)
Beach and Racquet Club Horizontal)
Property Regime; Gary Steven Robinson)
and Elizabeth Erin Humphries; Dennis L.)
Johnson, Jr. and Nancy H. Johnson,)

Case Number: 4:16-cv-02880-RBH

Plaintiffs,)

vs.)

Tilghman Beach and Racquet Club)
Condominium Association, Inc., James H.)
Austin, III, Daniel G. Coe, C. Doug)
Madison, George P. White and Steele)
Brice Windle, III, individually and as)
Members of the Board of Directors of the)
Tilghman Beach and Racquet Club)
Condominium Association, Inc.,)

Defendants.)

ORDER

This matter is before the Court on Plaintiffs’ Motion to Remand [ECF No. 9] the above-captioned matter from this Court back to South Carolina State Court, filed on September 2, 2016. On October 5, 2016, Defendants filed their Response to Plaintiffs’ Motion to Remand [ECF No. 18] indicating that Defendants consent to the Motion to Remand in exchange for certain promises and representations reflected in a signed Stipulation which was attached to Defendants’ Response as Exhibit A. Defendants’ Response further indicated that Defendants understood the Parties will bear their own attorneys’ fees and costs associated with Defendants’ removal of the above-captioned case to this Court, Plaintiffs’ Motion to Remand and the negotiation and

drafting of the Stipulation attached as Exhibit A to the Response. On October 5, 2016, Plaintiffs filed a Reply [ECF No. 19] indicating that Plaintiffs and their counsel agreed with Defendants' Response to Plaintiffs' Motion to Remand. This Court is informed that Plaintiffs' counsel and Defendants' counsel have reviewed and approved both the form and content of this Order.

Accordingly, based on Defendants' consent to Plaintiffs' Motion to Remand, Plaintiffs' Motion is hereby **GRANTED** subject to the terms of the Stipulation attached as Exhibit A to Defendants' Response. This case is hereby **REMANDED** to the South Carolina Court of Common Pleas for the Fifteenth Judicial Circuit, Horry County. A certified copy of this Order shall be mailed by the Clerk of this Court to the Clerk of the Court of Common Pleas, Horry County, Fifteenth Judicial Circuit of South Carolina. The Parties shall bear their own attorneys' fees and costs associated with Defendants' removal of this case to this Court, Plaintiffs' Motion to Remand and the negotiation, drafting and execution of the Stipulation attached as Exhibit A to Defendants' Response.

IT IS SO ORDERED.

October 12, 2016
Florence, South Carolina

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