

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

| | |
|---------------------------------|-----------------------------------|
| WILLIAM F. CAPPEL AND KATHRYN) | Civil Action No. 4:16-cv-3618-RBH |
| E. CAPPEL,) | |
|) | |
| Plaintiffs,) | |
|) | |
| -versus-) | |
|) | CONSENT ORDER OF REMAND |
| UNDERWRITERS AT LLOYD'S,) | |
| LONDON; CARNEY'S STEAMWAY &) | |
| PEST CONTROL, LLC; AND DUNES) | |
| REALTY, INC.,) | |
|) | |
|) | |
| Defendants.) | |
|) | |

Underwriters at Lloyd's of London ("Underwriters") removed this case from Horry County Court of Common Pleas on November 14, 2016. Underwriters also contemporaneously filed a motion to dismiss or stay [Doc. 5] and Motion to Sever [Doc. 6]. On June 9, 2017, the Court was informed that Underwriters and Plaintiff's settled their dispute and that the aforementioned motions are *moot*. From a review of the petition for remand and the motions before the Court it is clear that it has always been Underwriters' position that the claims against the non-diverse co-defendants belong in state court and no other party has argued otherwise. In light of the settlement between Underwriters and Plaintiffs, the motions are denied as being *moot* and the matter shall be remanded to the Horry County Court of Common Pleas.

AND IT IS SO ORDERED.

June 20, 2017
Florence, South Carolina

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