

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

CHARLES PORTER, *on behalf of himself  
and all others similarly situated,*

Plaintiff,

vs.

SPAN-AMERICA MEDICAL SYSTEMS,  
INC., THOMAS D. HENRION, JAMES  
D. FERGUSON, THOMAS F. GRADY,  
RICHARD C. COGGINS, ROBERT H.  
DICK, DAN R. LEE, LINDA D.  
NORMAN, THOMAS SULLIVAN, and  
TERRY ALLISON RAPPUHN

Defendants.

Case No.: 6:17-cv-01357-MGL

**STIPULATION AND ORDER CLOSING AND  
TERMINATING THE ACTIONS**

WHEREAS, on July 11, 2017, the Court entered an Order dismissing without prejudice the complaint in the above-captioned action and retaining jurisdiction solely for considering any application for an award of attorneys' fees and expenses;

WHEREAS, the parties have reached agreement with respect to payment of attorneys' fees and expenses, in full satisfaction of any claims for attorneys' fees or expenses in the above-captioned action or in any of the following related actions: *Berger v. Span-America Medical Systems, Inc., et al.*, C.A. No. 6:17-cv-01399-MGL (D.S.C.), or *Pill, et al., v. Henrion et al.*, C.A. No. 6:17-cv-01375-MGL (D.S.C.);

There being no further issue for the Court to consider, the Court, at the request of the parties, hereby issues the following order:

1. The above-captioned action is terminated and administratively closed, with the Court no longer retaining jurisdiction to consider any application for an award of attorneys' fees and expenses.

**NEXSEN PRUET, LLC**

Dated: September 6, 2017

By: /s/ Andrew A. Mathias

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*Counsel for Plaintiff*

**WYCHE P.A.**

Dated: September 6, 2017

By: /s/ Wallace K. Lightsey

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*Counsel for Defendants*

SO ORDERED this 7<sup>th</sup> day of September, 2017

s/Mary Geiger Lewis

THE HONORABLE MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE