

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH CAROLINA, GREENVILLE DIVISION**

DAVID PILL, Individually and on Behalf of)
All Others Similarly Situated,)
Plaintiff,)
v.)
SPAN-AMERICA MEDICAL SYSTEMS,)
INC., THOMAS D. HENRION, JAMES D.)
FERGUSON, RICHARD C. COGGINS,)
ROBERT H. DICK, THOMAS F. GRADY,)
JR., DAN R. LEE, DR. LINDA D.)
NORMAN, TERRY ALLISON RAPPUHN,)
THOMAS J. SULLIVAN, SAVARIA)
CORPORATION, and SAVARIA (SC), INC.)
Defendants.)
)
Civil Action No. 6:17-cv-01375-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 *Porter v. Span-America Medical Systems, Inc. et al.*, C.A. No. 6:17-cv-01357-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.

Dated: September 5, 2017

CULBERTSON LAW OFFICE, LLC

s/ Hannah Rogers Metcalfe
Manning Y. Culbertson, Fed. ID: 5156
707 E. North Street
Greenville, SC 29601
Tel: (864) 233-8282
Email: mculbertson@myclawyer.com

Hannah Rogers Metcalfe, Fed. ID: 9943
METCALFE & ATKINSON, LLC
9 Toy Street
Greenville, SC 29601
Tel: (864) 214-2319
Email: hmetcalfe@malawfirmsc.com

Carl L. Stine (*pro hac* motion to be filed)
Robert S. Plosky (*pro hac* motion to be filed)
WOLF POPPER LLP
845 Third Avenue
Tel: (212) 759-4600
Fax: (212) 486-2093
Email: cstine@wolfpopper.com
rplosky@wolfpopper.com

Counsel for Plaintiff

WYCHE P.A.

Dated: September 5, 2017

By: /s/ Wallace K. Lightsey
Wallace K. Lightsey (D.S.C. Bar. No. 1037)
Eric K. Graben (D.S.C. Bar No. 7344)
44 East Camperdown Way
Greenville, South Carolina 29601
Telephone: (864) 242-8200
Facsimile: (864) 235-8900
Email: wlightsey@wyche.com

egraben@wyche.com

Of Counsel:

COOLEY LLP

Peter Adams (Cal. Bar No. 243926)
Koji Fukumura (Cal Bar No. 189719)
4401 Eastgate Mall
San Diego, CA 92121-1909
Telephone: (858) 550-6059
Facsimile: (858) 550-6420
Email: padams@cooley.com
kfukumura@cooley.com

Counsel for Defendants

SO ORDERED this 6th day of September, 2017

s/Mary Geiger Lewis

THE HONORABLE MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE