

**STATE OF SOUTH CAROLINA }
COUNTY OF DORCHESTER }**

**COURT OF COMMON PLEAS
CASE No. 16-CP-18-1001**

TAMMY C. RICHARDSON,

PLAINTIFF,

V.

**MCCABE, TROTTER & BEVERLY, P.C.,
AND HALCYON REAL ESTATE SERVICES,
LLC**

DEFENDANTS.

**ORDER DENYING
RECONSIDERATION**

This matter came before the Court for hearing on April 26, 2018 on Defendant, McCabe, Trotter & Beverly, P.C.'s ("McCabe") Motion to Reconsider the Class Certification Order filed January 12, 2018. This Court entered a Form 4 Order filed on May 4, 2018 directing that the matter be held in abeyance until the parties completed mediation.

On July 26, 2018, Mary Leigh Arnold, attorney for Plaintiff, Tammy Richardson ("Richardson") filed an Affidavit with the Court. The Affidavit affirms that mediation has been conducted but was unsuccessful. It further avers that the parties reached an agreement that the time period for the class period contained within the class definition should be modified to November 5, 2014 to November 5, 2015. No other agreements have been reached between the parties as to the other issues raised by McCabe as to the class definition. The Court has also been made aware that a list of class members arising between November 5, 2014 and November 5, 2015 was provided by McCabe to Plaintiff on July 24, 2018.

Having reviewed and carefully considered the Motion for Reconsideration, Memorandum in Opposition and having heard oral arguments, this Court is of the opinion and believes the Motion should be denied and that the class definition should be modified incorporating the dates as agreed by counsel. Now therefore, it is

ORDERED that Defendant's Motion for Reconsideration of Class Certification is hereby denied, and it is

FURTHER ORDERED in accordance with the parties agreement the date in the class definition as shall be modified and the class definition shall read as follows:

All individuals who owned South Carolina real property who were sent a document by McCabe Trotter & Beverly, P.C. attempting to collect a debt for a homeowner or community association during the following period: November 5, 2014 (representing the date one year prior to the filing of Plaintiff Richardson's Third-Party Complaint) through November 5, 2015.

AND IT IS SO ORDERED.

The Honorable Diane Schaffer

Goodstein
St. George, S.C.
_____, 2018



Dorchester Common Pleas

Case Caption: Tammy C Richardson , plaintiff, et al VS Halcyon Real Estate Services LLC , defendant, et al

Case Number: 2016CP1801001

Type: Order/Class Certification

It is so Ordered!

s/Diane S. Goodstein