

FILED
GREENVILLE, CO. S. C.
JAN 8 10 11 AM '79
BONNIE S. TANKERSLEY
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STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN THE COUNTY COURT

Poinsett Discount
Company, Inc.,)

Plaintiff,)

-vs-)

William J. Hufflin and
Virginia S. Hufflin,)

Defendants.)

ORDER OF DISMISSAL
78-CL-23-822

FILED CLERK OF COURT
GREENVILLE, CO. S. C.
RACHEL W. TOLLY
DEC 7 11 32 AM '78

This is a motion by the Defendants, William J. Hufflin and Virginia S. Hufflin, for a Demurrer to the above-referenced action on the grounds that the same action is pending in the County Court for the County of Greenville, State of South Carolina, under case number 78-CL-23-272. The motion is granted.

This action, 78-CL-23-822 was brought by the Plaintiff, Poinsett Discount Company, Inc., against the Defendants, William J. Hufflin and Virginia S. Hufflin by way of a verified Complaint dated April 25, 1978, wherein said Plaintiff was seeking to foreclose its Mechanic's Lien for labor and materials it alleged were furnished at the special instance and request of Defendants in the improvement of real estate owned by said Defendants. The recovery sought by said Plaintiff is in the amount of Four Hundred Fifty and No/100 (\$450.00) Dollars plus a reasonable attorney's fee and the costs of the action. Subsequently thereto, the Defendants filed their Demurrer to the Complaint on or about May 3, 1978.

There is another action, 78-CL-23-272, pending in this Court which was brought by William Hufflin and Virginia Hufflin, Plaintiffs, against Clyde W. Brickel d/b/a Poinsett Manufacturing Co., Inc., and Poinsett Discount Co., Inc., a corporation, Defendants. In that action the Hufflins requested this Court to issue an Order rescinding the contract entered into between the parties. The Defendants in that action, including Poinsett Discount Company, Inc., filed an Answer and Counterclaim against the Hufflins.

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