

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT
01-CP-26-█

█
Plaintiff,
vs.
█
Defendant.

**CONSENT ORDER FOR
SUMMARY JURY TRIAL**

WHEREAS, the Plaintiff and the Defendant consent pursuant to § 14-11-60 Code of Laws of South Carolina, 1976, as amended, and Rule 39, SCRCP, that this case will be tried as a jury trial before a Special Referee/Summary Jury Trial Judge. The parties and the Judge will be bound by the decision of the jury and render a verdict strictly in accordance with the jury's verdict.¹ It is hereby,

ORDERED, ADJUDGED AND DECREED that the Horry County Clerk of Court shall make available a bailiff, court room, and sufficient jurors from the jury venire on the day of May 22, 2003, so the parties may select a jury of no less than twelve jurors to hear the case. The hearing shall commence at 9:30 a.m. on that day in Courtroom 3A of the Horry County Justice Center. It is further

ORDERED, ADJUDGED AND DECREED that this case is referred to █
█ Esquire, who is appointed as Special Referee/Summary Jury Trial Judge pursuant to § 14-11-60 for the purpose of this jury trial, and he shall rule on all matters with regard to procedure under the South Carolina Rules of Evidence as if he were sitting as a Circuit Court Judge. It is further,

¹The parties have agreed that the jury verdict will be binding, subject to the terms and conditions of a letter of agreement, signed by counsel, to be disclosed only after a verdict has been rendered.

ORDERED, ADJUDGED AND DECREED that notwithstanding the hearsay rule, the Summary Jury Trial Judge shall allow the parties, at the option of any party, to read to the jury all medical records, reports, bills, affidavits, depositions, and any other documents exchanged during discovery, in lieu of live testimony, provided that each party has during discovery made known to or supplied the other with copies of all such medical records, reports, bill, affidavits, depositions and other documents upon which either party intends to rely and/or introduce into evidence, assuming that the documents are relevant and otherwise admissible. The actual admission of documents into evidence will be done by agreement of the parties or as provided by the South Carolina Rules of Evidence. No oral hearsay (not contained in the aforementioned documents or depositions) shall be admitted, unless it falls within the hearsay rule. It is furthermore,

ORDERED, ADJUDGED AND DECREED that the parties shall be entitled to utilize the subpoena power authorized by the South Carolina Rules of Civil Procedure to compel attendance of witnesses, if necessary, at the jury trial, and that the jury's verdict be entered as a Judgment according to law, appealable directly to the South Carolina Court of Appeals.

*Resident Circuit Judge
Fifteenth Judicial Circuit*

March 27, 2003

Conway, South Carolina