

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Joshua Bregy,

Plaintiff,

vs.

Board of Trustees of Clemson
University, Robert Jones in his
individual and official capacity as
provost of Clemson University, James
Clements in his individual and official
capacity as president of Clemson
University, Kim Wilkerson in her
individual and official capacity as Chair
of the Clemson Board of Trustees,
John McCarter, Jr., David Dukes, Nikki
Haley, Ronald Lee, Louis Lynn,
Patricia McAbee, Smyth McKissick,
Robert Peeler, Cheri Phyfer,
Mark Richardson, William Smith, Jr.,
and Joseph Swann in their individual
and official capacities as
members of the Clemson Board
of Trustees,

Defendant.

Civil Action No. 8:25-cv-12810-JDA

ORDER OF DISMISSAL

The Court having been advised by counsel for the parties that the above action has been settled,

IT IS ORDERED that this action is hereby dismissed without costs and without prejudice. If settlement is not consummated within sixty (60) days, either party may petition the Court to reopen this action and restore it to the calendar. Rule 60(b)(6), F.R.Civ.P. In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the Court to enforce the settlement. *Fairfax Countywide Citizens v. Fairfax County*, 571 F.2d 1299 (4th Cir. 1978). By agreement of the parties, the court retains jurisdiction to enforce the settlement agreement. *Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 381-82 (1994). The dismissal hereunder shall be with prejudice if no

action is taken under either alternative within sixty (60) days from the filing date of this order.

IT IS SO ORDERED.

s/Jacquelyn D Austin
United States District Judge

January 6, 2026
Greenville, South Carolina

Defendant's David Dukes, Nikki Haley, Ronald Lee, Louis Lynn, Patricia McAbee, John McCarter Jr., Smyth McKissick, Robert Peeler, Cheri Phyfer, Mark Richardson, William Smith Jr, Joseph Swann (in his/her individual and official capacities as members of the Clemson Board of Trustees). Kim Wilkerson (in her individual and official capacity as Chair of the Clemson Board of Trustees), Board of Trustees of Clemson University and James Clements (in his individual and official capacity as president of Clemson University) terminated per, Document 20, Stipulation of Dismissal.