

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

Aug 29 2022

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No.: 2018-CP-10-03286

Karolina Richardson and Krista Richardson,
Plaintiffs,

v.

Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, GREP Southeast, LLC,
Defendants,

Of Whom

Karolina Richardson and Krista Richardson,
Respondents,

And

Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, GREP Southeast, LLC,
Appellants.

NOTICE OF APPEAL

Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, GREP Southeast, LLC appeals the written order by the Honorable Jennifer B. McCoy dated August 24, 2022 denying its Motion for Judgment Notwithstanding the Verdict, and appeals the Court's rulings and Orders pertaining to the trial that began on July 18, 2022, the appeal of

which were stayed by the Motion for Judgement Notwithstanding the Verdict. Specifically, Appellants is providing Notice of Appeal as to:

- (a) her Order pertaining to Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, GREP Southeast, LLC's motion for judgement notwithstanding the verdict, or in the alternative, for a new trial, and judgment for the same;
- (b) her verbal Orders at trial denying the admittance of evidence where Appellants and Respondents had represented to the Court that exhibits exchanged pretrial would be admitted without objection;
- (c) her Order dated July 22, 2022, denying Appellants admittance of deposition testimony;
and
- (d) her verbal Orders at trial on Respondents' motions in limine excluding evidence.

Counsel for Appellants received the Order denying the judgement notwithstanding the verdict via SC Courts E-filing on August 24, 2022. A copy of the orders referenced above is attached hereto as Exhibit A.

<SIGNATURE PAGE FOLLOWS>

Respectfully submitted,

s/ Jeff Ross

Jeffrey A. Ross, Bar No.: 74254

Emily C. Sheets, Bar No.: 78768

ROSS & CRISTALDI, LLC

863 Coleman Blvd., Ste B

Mt. Pleasant, South Carolina 29464

Phone: (843) 329-4040

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Attorneys Appellants

August 26, 2022

Other Counsel of Record:

Clayton B. McCullough

McCullough Kahn, LLC

329 King Street, Suite 200

Charleston, SC 29401

clay@mklawsc.com

Attorney for the Respondents

CERTIFICATE OF SERVICE

Case No. 2018-CP-10-03286

I, the undersigned, attorney for Appellants Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, GREP Southeast, LL, certify that I have this date served the foregoing Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, and GREP Southeast, LLC's Notice of Appeal, dated August 26, 2022, by personally serving the same pursuant to Section (d)(1) of the Supreme Court's Order dated May 6, 2022, on the following counsel of record using the primary email address listed in the Attorney Information System (if applicable):

Clayton B. McCullough
McCullough Kahn, LLC
329 King Street, Suite 200
Charleston, SC 29401
clay@mklawsc.com
Attorney for Respondents

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A copy of the sent email is enclosed with this Certificate of Service.

s/ Jeff Ross
Jeffrey A. Ross, Bar No.: 74254
Emily C. Sheets, Bar No.: 78768
ROSS & CRISTALDI, LLC
863 Coleman Blvd., Ste B
Mt. Pleasant, South Carolina 29464
Phone: (843) 329-4040
Email: jross@rclawsc.com
esheets@rclawsc.com
Attorneys for Appellants

Dated: August 26, 2022

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Defendants,

Of Whom

Karolina Richardson and Krista Richardson,
Respondents,

And

Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, GREP Southeast, LLC,
Appellants.

CERTIFICATE OF SERVICE AND FILING

I certify that I have served the Notice of Appeal on Respondents by depositing a copy to them in the United State Mail, postage prepaid, on August 26, 2022, addressed as follows:

Other Counsel of Record:

Clayton B. McCullough
McCullough Kahn, LLC
329 King Street, Suite 200
Charleston, SC 29401
clay@mklawsc.com
Attorney for Respondents

The Honorable Julie J. Armstrong
100 Broad Street, Ste. 106
Charleston, SC 29401-2210

Notice of Appeal
2018-CP-10-03286

s/ Jeff Ross

Jeffrey A. Ross, Bar No.: 74254

Emily C. Sheets, Bar No.: 78768

ROSS & CRISTALDI, LLC

863 Coleman Blvd., Ste B

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Email: jross@rclawsc.com

esheets@rclawsc.com

Attorneys for Appellants

Katy Barnes

From: Katy Barnes
Sent: Friday, August 26, 2022 4:50 PM
To: Clayton B. McCullough, Esquire; 'Alicia@mklawsc.com'
Cc: Jeff Ross; Emily Sheets; Bobbi Myers
Subject: Richardson v. Dewberry
Attachments: 2022.08.26 NOA Package.pdf

Hey Clay,

Attached please find the Notice of Appeal documents we will be filing with the Court of Appeals shortly.

Have a great weekend!

Katy B. Barnes
Legal Assistant
Ross & Cristaldi, LLC
863 Coleman Blvd., Ste. B
Mt. Pleasant, SC 29464
(843) 329-4040
kbarnes@rclawsc.com

*Please note our email address change – our entire firm will now be “first initial, last name @rclawsc.com”
Please note our firm address change*



This e-mail and the information transmitted herein may contain privileged and/or confidential information and is the property of the sender. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this information, or the taking of any action in reliance on the content of this email, is strictly prohibited. If you have received this e-mail in error, please immediately contact Bobbi Myers at Ross & Cristaldi, LLC, (843) 329-4040, and please delete the original email, all attachments and any copies thereof.



***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2018CP1003286

Official File Stamp: 08-26-2022 04:48:45 PM
Court: CIRCUIT COURT
Common Pleas
Charleston
Case Caption: Karolina Richardson , plaintiff, et al VS Mt Pleasant Square Associates II LLC , defendant, et al
Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals
Filed by or on behalf of: Jeffrey A Ross

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Jeffrey A Ross for GREP Southeast LLC, Mt Pleasant Square Associates II LLC, Oyster Park Apartments, Dewberry Capital Corporation
Joshua Allan Bennett
Douglas Edward Leadbitter for GREP Southeast LLC et al
John Timothy Wooten for GREP Southeast LLC, Mt Pleasant Square Associates II LLC, Oyster Park Apartments, Dewberry Capital Corporation
Clayton B. McCullough for Karolina Richardson et al
Emily Christine Sheets for GREP Southeast LLC, Mt Pleasant Square Associates II LLC, Oyster Park Apartments, Dewberry Capital Corporation
Robert Bryan Barnes
Philip Paul Cristaldi, III for GREP Southeast LLC, Mt Pleasant Square Associates II LLC, Oyster Park Apartments, Dewberry Capital Corporation

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

Carrie Bradley Coleman for GREP Southeast LLC, Mt Pleasant Square Associates II LLC, Oyster Park Apartments, Dewberry Capital Corporation

ROSS & CRISTALDI_{LLC}
ATTORNEYS AT LAW

Jeffrey A. Ross
Philip P. Cristaldi, III
Scott H. Winograd
Emily C. Sheets
Benjamin D. Gilchrist

Jeff Ross
Emily Sheets
863 Coleman Blvd., Ste. B
Mt. Pleasant, SC 29464
jross@rclawsc.com
esheets@rclawsc.com
(843) 329-4040

August 26, 2022

VIA E-MAIL ONLY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
ctappfillings@sccourts.org

RECEIVED
Aug 29 2022
SC Court of Appeals

Re: Richardson v. Mt. Pleasant Squares Associates, II, et al.
Case No.: 2018-CP-10-03286

Dear Ms. Kitchings:

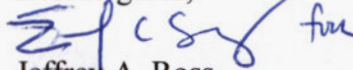
My assistant spoke with Elizabeth in your office earlier today regarding the preferred process for filing a Notice of Appeal. She knowledgeable and kindly explained that if we do not already have an e-filing account through AIS for the Court of Appeals, email is accepted as formal filing and service, and that a hard copy should not also be mailed to avoid duplication on your end. In that regard, enclosed for filing please find our Notice of Appeal (with exhibits) and Certificate of Service of same in connection with the above-referenced matter.

We will mail our check for the \$250 filing fee today together with a copy of this letter without attachments so as not to cause any duplication on your end. We would greatly appreciate you returning a filed copy of these documents to us via email.

We were further advised by your office that so long as we provide proof that it is been e-filed in state court, it does not matter in which order we file it with which court. Therefore, for the sake of efficiency, we have already filed this correspondence with all documents and exhibits in State Court and are attaching proof of that filing for your records. If there is anything additional you need from us, please do not hesitate to let us know.

By copy of this email to counsel of record, we are hereby serving them with a copy of the same.

Best Regards,


Jeffrey A. Ross

JAR/kbb

Cc: The Honorable Julie J. Armstrong, Clerk of Court for Charleston County
(via Charleston County e-filing)
Clayton B. McCullough, Esquire, counsel for the Plaintiffs/Respondents
(via email only, and Charleston County e-filing)

863 Coleman Blvd., Suite B, Mount Pleasant, SC 29464