

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

**RECEIVED**

NOV 21 2022

**SC Court of Appeals**

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**APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas**

**The Honorable Jocelyn Newman**

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**Case No.: 2020-CP-40-05255**

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**Appellate Case No. 2022-01155**

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**Norma J. Nix, et al**

**Appellants,**

**v.**

**Churchill Park Homeowners' Association, Inc., et al**

**Respondents,**

-----  
**APPELLANT'S RETURN TO DEFENDANTS' AND THEIR ATTORNEYS' RETURN  
TO APPELLANT'S MOTION TO RESTORE APPEAL**

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Alan Nix files this return to Defendants' and their attorneys' return to Appellant's Motion to Restore. As an initial matter, it appears Mr. Wood and Mr. Countryman are requesting an extension of time to respond to Alan Nix's motion to restore. Alan Nix not only does not oppose Mr. Wood's and Mr. Countryman's request but urges the Court of Appeals to grant Mr. Wood's and Mr. Countryman's request so that Mr. Wood and Mr. Countryman has sufficient time to

further consider their statements of apparent fact in their 15 Nov 2022 Return while being on official notice of the four exhibits attached to this return.

Ex. 1 – the first and last pages of their own clients’ motion in this case dated 8 February 2022 which cites Alan G. Nix as a plaintiff.

Ex. 2 – The first page of the transcript of February 10<sup>th</sup>, 2022 which cites Alan Nix as a Plaintiff.

Ex. 3 – The notification from the Richland County Clerk of Court dated 3 October 2022 in this underlying case which is addressed to Alan G. Nix

Ex. 4 – copy of letter to Ms. McBride and Judge Newman dated 15 November 2022 in this underlying case raising the specter of improper actions related to the scheduling (and ultimately holding) the hearing of 10 February 2022.

Appellant Alan Nix, as previously stated, fully supports Mr. Wood’s and Mr. Countryman’s request for an extension of time to file their amended Return and encourages the Court to grant this extension of time as a safe harbor opportunity for Mr. Wood and Mr. Countryman related to their actions to date in this matter, including but not limited to, their Return of 15 Nov 2022.

Likewise, Appellant Alan Nix respectfully requests Ms. Abbott-Kitchings to file the letter he mailed to her related to her apparent misunderstanding of the situation when she chose to unilaterally and incorrectly dismiss the appeal based on her apparent misunderstanding of the situation.

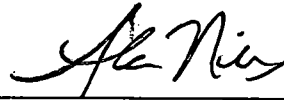
Lastly, as for everyone’s ongoing issue related to Alan Nix alleged continuing engagement in the heinous crime of the unauthorized practice of law in this matter, Alan Nix humbly requests each of these persons to file a copy of the criminal complaints they have filed with all Local, County and State law enforcement to date with this case on or before 30 November 2022.

Appellant Alan Nix requests the Court of Appeals to:

1. Grant Mr. Wood’s and Mr. Countryman’s request for an extension of time to file their final Return until 29 November 2022.
2. Grant Alan Nix until at least five days after receiving Mr. Wood’s and Mr. Countryman’s Final Return to file his Final Return.
3. any other and further relief as the Court deems just, prudent and proper.

November 21, 2022

Respectfully submitted,



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Alan G. Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466  
(843) 991-4170

# Exhibit

# 1

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF RICHLAND

CIVIL ACTION NUMBER: 2020-CP-40-5255

Normal J. Nix, Alan G. Nix, and the Estate of Norma J. Nix

**DEFENDANT CHURCHILL PARK'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND MOTION FOR SANCTIONS**

Plaintiffs,

v.

Churchill Park, Churchill Park Homeowners' Association, Inc., Park West Master Association, Inc., Landtech of Charleston, LLC, Landtech Incorporated of South Carolina, Park West Development, Inc, McCabe, Trotter & Beverly, Chucklehoover, LLC, Richard Riccoboni, Gold Crown Management, LLC, Cedar Management Group, LLC; Law Offices of Todd Musheff, Officers and Directors of All Named Entities,

Defendants.

Defendant Churchill Park and its "officers and directors" ("these Defendants") move pursuant to SCRCP 12(b) for dismissal of this action with prejudice. The grounds for dismissal are as follows: (1) statute of limitations; (2) insufficiency of service of process; (3) improper venue; (4) another action is pending between these parties for the same claim, (5) failure to perfect service of process; and (6) unauthorized practice of law.

These Defendants also ask this Court to issue an order sanctioning Plaintiffs for bringing this lawsuit, which is only intended to harass and annoy, to include an award of attorney's fees and costs, and precluding this Court from accepting further *pro se* filings from Alan Nix.

**BACKGROUND**

Alan Nix, along with his now-deceased wife, Norma Nix, owned a home in the Churchill Park neighborhood in the Park West development located at 1401 Densmore Circle, Mt. Pleasant,

## CONCLUSION

These Defendants respectfully request this court dismiss Plaintiffs' claims against them with prejudice. These Defendants further request this court sanction Plaintiffs and award these Defendants an award of legal fees and costs and a pre-filing injunction.

/s Stephanie Trotter Kellahan  
Stephanie Trotter Kellahan (SC Bar 77680)  
V. Morgan Bryant (SC Bar 103318)  
McCabe Trotter & Beverly, PC  
4500 Fort Jackson Blvd., Suite 250  
Columbia, SC 29209  
Office: (803) 724-5000  
Fax: (803) 724-5001  
Email: stephanie.kellahan@mccabetrotter.com  
Email: morgan.bryant@mccabetrotter.com  
**ATTORNEYS FOR CHURCHILL PARK**

# Exhibit

# 2

STATE OF SOUTH CAROLINA )

County of Richland )

COURT OF COMMON PLEAS  
2020CP4005255

NORMA NIX, ALAN NIX AND ESTATE )  
OF NORMA NIX, )

PLAINTIFF, )

vs. )

TRANSCRIPT OF RECORD

"CHURCHILL PARK", CHURCHILL )  
PARK HOMEOWNERS' ASSOCIATION )  
INC, CEDAR MANAGEMENT GROUP )  
LLC, CHUCKLEHOOVER, LLC, GOLD )  
CROWN MANAGEMENT, INC., )  
LANDTECH INCORPORATED OF SOUTH )  
CAROLINA, LAND TECH CHARLESTON, )  
LLC, LAW OFFICES OF TODD )  
MUSHEFF, MCCABE TROTTER & )  
BEVERLY, PC, PARK WEST )  
DEVELOPMENT, INC., PARK WEST )  
MASTER ASSOCIATION, INC., )  
RICHARD RICCOBONI, )

DEFENDANTS, )

February 10, 2022  
Columbia, South Carolina

BEFORE:

THE HONORABLE JOCELYN NEWMAN, JUDGE.

APPEARANCES:

ANDREW COUNTRYMAN, ESQ.  
STEPHANIE KELLAHAN, ESQ.  
Attorneys for the Defendants

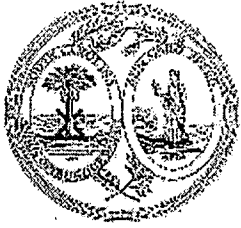
KAREN AMBROZIAK  
Official Court Reporter

# Exhibit

# 3

## NOTICE OF CASE SCHEDULING

October 03, 2022



Case 2020CP4005255 - Norma J Nix , plaintiff, et al vs Churchill Park Homeowners Association Inc , defendant, et al has been added to the following Court Roster:

Roster ID: 1252 - JURY TRIAL ROSTER MEETING OCTOBER 24th, 2022 COURTROOM 2-A 9 AM

This case has been assigned as priority 34 of 50 cases scheduled for the court period of 10/24/2022 through 10/28/2022

A Roster Meeting will be held on Monday Oct 24, 2022 at 9:00 A.M. in Courtroom 2-A for the Oct 24, 2022 Jury Trial term. ATTENDANCE IS MANDATORY. If your case is not reached during this term will carry over to the next term unless continued by the Chief Administrative Judge. All requests for a Continuance and/or Status Conferences should be filed along with the required filing fee no later than 12pm Wednesday Oct 19, 2022. ALL proposed orders of continuance must be accompanied by a motion. If a Status Conference is necessary, please file a Motion for Status Conference using that code "Motion/Other" in the E-Filing system. Fill out the Status Conference form in the link provided <https://www.richlandcountysc.gov/Government/Courts-and-Judicial-System/Clerk-of-Court/Common-Pleas>. If you have any questions or concerns please contact Judge Newman's law clerk at JNewmanLC@SCCourts.org or Paul Gunter at Gunter.Paul@RichlandCountySC.Gov.

### Mail Notice To:

Alan G Nix  
1401 Densmore Circle  
Mt Pleasant, SC 29466

### Court Info:

Richland County Common Pleas  
Richland County Judicial Center  
1701 Main Street  
Columbia, SC 29201-9201

If you have any questions regarding the scheduling of this case, please contact the courts at:

(803)576-1999

Respectfully,

Jeanette W. McBride  
Clerk of Court

# Exhibit

# 4

15 November 2022

Alan Nix  
1401 Densmore Circle  
Mt. Pleasant, SC 29466

Jeanette McBride  
Clerk of Court, Richland County  
1701 Main St.  
Columbia, SC 29201

Judge Jocelyn Newman  
1701 Main St.  
Columbia, SC 29201

RE: follow up on 10 February 2022 hearing and open motions; case 2020-CP-40-05255

Dear Ms. McBride and Judge Newman.

I received a copy of the transcript from the motion hearings of 2 and 3 November 2022 this afternoon and as I was reviewing them it occurred to me that at least two motions are outstanding in this case from February and March of this year. Based on the transcript, it does not appear that either were scheduled for 3 November 2022.

The first is for a motion for continuance and add parties from 7 February 2022 and the second was from 3 March 2022 and was a motion to reconsider Judge Newman's order stemming from the 10 February 2022 hearing, disqualify McCabe, Trotter & Beverly, and raised some questions about the scheduling of the hearing for 10 February 2022. The 7 February 2022 motion did not request a motion hearing but given it had not been ruled on prior to the scheduling of these motions, it seems likely it should have been scheduled for 3 November 2022 to ensure all open requests in that motion were finally dealt with. The 3 March 2022 motion did request a motion hearing and curiously appears to have not been scheduled for 3 November 2022.

So as to be as brief and clear as possible, I allege that Judge Newman did not have a motion roster for 10 February 2022 and that the activities which took place on or about 31 January 2022 related to scheduling that hearing was most likely improperly requested by a Person or Persons associated with McCabe, Trotter & Beverly and that improper request was improperly acted upon by a person or persons who report to you and/or Ms. Kohn and had the ability to circumvent normal scheduling procedures. Among other requests made in the 3 March 2022 motion, information related to the scheduling of the 10 February 2022 hearing was requested but no such information has ever been received.

To provide some context related to this issue, I filed a motion on 26 January 2022 in case 2020-CP-40-06054 requesting pre-judgement liens for ten properties owned by Churchill

Park Homeowners' Association, Inc. and to appoint a receiver for that corporation's assets and to oversee that corporation's operations pending a jury trial to determine the total damages in that case. The primary reason given in that motion to support my requests was the fact that the property tax on five of the ten properties had not been paid and it appeared as if they may go to a tax sale prior to final damages being awarded in that case. Suspiciously, the total property tax for all ten properties was less than \$55.00 (approximately \$2.34 for nine of the ten properties and \$33.64 for the tenth property) but the property tax had been paid on only five of the ten properties as of 26 Jan 2022. The other five properties had been assessed a late fee for lack of payment and based on the fact that five had been paid, it appeared that the lack of paying approximately \$43.00 in property tax for the remaining five was intentional.

The following Monday, 31 January 2022, three business days later, Cedar Management Group, a defendant in this case, paid the property tax on the remaining five properties despite the fact that they had communicated in May 2021 that they were no longer involved with Churchill Park and Churchill Park Homeowners' Association, Inc. On the same day, 31 January 2022, it appears significant and out of the ordinary actions occurred in your and/or Ms. Kohn's organizations to suddenly attempt to schedule a motion hearing for McCabe, Trotter & Beverly's motion as quickly as possible in this case. I allege that not only did Judge Newman not have any motions scheduled for 10 February 2022 prior to the afternoon of 31 January 2022, that it is significantly atypical for your organization, or any Clerk of Court in South Carolina for that matter, to attempt to schedule a motion hearing for a date less than at least two to three weeks from the date the notification is mailed notifying the parties that a motion hearing has been scheduled. In this case, you mailed the motion hearing notification on 1 February 2022 for a motion hearing scheduled for 10 February 2022, less than ten days prior to the motion hearing and exactly fifteen days from my filing of the 26 January 2022 motion in case 2020-CP-40-06054. As a general rule, I do not believe in coincidences and in this specific situation do not believe everything that occurred on or about 31 January 2022 were simply coincidences.

I trust you appreciate how this set of facts appear and my reluctance to accept this all occurred coincidentally. Please provide the information about the scheduling of the 10 February 2022 motion hearing which was requested in the 3 March 2022 motion as soon as possible and schedule the motion hearing for the 3 March 2022 motion approximately four weeks after you produce all documents and other information related to the scheduling of the 10 February 2022 motion hearing.

Lastly Ms. McBride, South Carolina state law specifies that Clerks of Court are supposed to forward copies of complaints filed with them which allege deceptive trade practices to the South Carolina Attorney General. Can you please confirm that you, or someone on your behalf, forwarded one or both of the complaints referenced in this letter to Mr. Alan Wilson sometime between mid November 2020 and Spring of 2021? If you did, please provide the date and method used to transmit the complaint(s). If you didn't, please provide the reason or reasons you decided not to forward copies to Mr. Wilson.

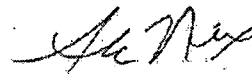
Judge McFaddin,

Given this information, please wait until the matters above have been resolved before taking any further action on the 2 and 3 November 2022 hearings. In the interim, I would request you to consider the material misrepresentations that Ms. Bryant, an Officer of the Court, made to you on 2 November 2022 and take whatever action you think is required related to those willful misrepresentations. As an initial matter, I will point you to page fifteen of the 2 November 2022 transcript, which I have included as Ex. A, in which she makes contradictory

and untruthful statements to the Court about the origins of and relationships of Churchill Park (incorporated 31 July 2003) and Churchill Park Homeowners' Association, Inc. The exhibits from 2 November 2022 which I mailed to you and hand delivered to McCabe, Trotter & Beverly provide sufficient evidence of Ms. Bryant's untruthful statements to the Court that day and by copying Mr. Nichols on this letter, I am formally filing a complaint against Ms. Bryant / McCabe, Trotter related to that misconduct. I will copy you on a more thorough version of that complaint but encourage you to speak with Mr. Capers Barr of Barr, Unger & McIntosh for independent verification of Ms. Bryant's untruthful statements on 2 November 2022. I have included Exhibit G from 2 November 2022 again for reference. This is a copy of the documents I received from Mr. Barr on 16 Nov 2017. Given Ms. Bryant / McCabe Trotter have had a complete copy of these documents for two weeks at this point and I am not aware of any attempt by these parties to correct the false statements of 2 November 2022, it seems only logical at this point to conclude those false statements were knowingly and willfully made and done so for one or more improper purposes.

The reality of the matter is that McCabe Trotter and their associates knowingly engaged in a scheme in the summer of 2017 to let Churchill Park Homeowners' Association, Inc. be dissolved by the Secretary of State's office for not having a registered agent with the intent of using Churchill Park Homeowners' Association, Inc.'s dissolution as the basis for arguing that "Churchill Park" was the successor in interest to Churchill Park Homeowners' Association, Inc. Another part of the scheme involved arguing that Churchill Park Homeowners' Association, Inc. was, depending on who was trying to make the case, either "*up in the Upstate somewhere*" or "*up in Greenville somewhere*". Neither of these statements are true now or have ever been true. The truth is there is still an uncorrected mistake in the Articles of Incorporation for Churchill Park Homeowners' Association, Inc. that says it is to be in Greenville, but it was and has always been in Mount Pleasant, SC. The fact that the *Greenville mistake* has been known about for at least five years at this point and has never been corrected only reinforces the knowing and willful nature of these parties and their associates participation in this ongoing scheme.

Best regards,



Alan Nix

cc.

John Nichols  
Office of Disciplinary Counsel  
1220 Senate St.  
Columbia, SC 29201

Tonnya Kohn, Director  
Court Administration  
1220 Senate St.  
Columbia, SC 29201

Judge McFaddin  
215 N. Harvin St.  
Sumter, SC 29150

Capers Barr  
Barr, Unger & McIntosh  
11 Broad St.  
Charleston, SC 29401

McCabe, Trotter & Beverly  
4500 Fort Jackson Blvd.  
Columbia, SC 29209

Lee Janssen  
1132 Willoughby Ln.  
Mt. Pleasant, SC 29466

1 Mr. Nix's primary argument in the underlying foreclosure  
2 action and that's important to distinguish between the two  
3 legal entities that are named, Churchill Park and Churchill  
4 Park Homeowners' Association, Inc.

5 At trial, Nix argued that Churchill Park, my client,  
6 was not the correct legal entity because the governing  
7 documents cite Churchill Park Homeowners' Association, Inc.,  
8 a separate legal entity. Judge Scarborough presided over  
9 that foreclosure trial. He ruled that Churchill Park  
10 Homeowners' Association -- I'm sorry. Churchill Park was  
11 the successor to Churchill Park Homeowners' Association,  
12 Inc. That order was entered in November of 2017.

13 In the next month, Mr. Nix appealed that order and he  
14 also filed reinstatement paperwork with the secretary of  
15 state claiming to be the president of Churchill Park  
16 Homeowners' Association, Inc. and reviving that entity that  
17 was dissolved. Churchill Park Homeowners' Association, Inc.  
18 was a separate incorporated entity in Greenville.

19 There was never actually a, a subdivision built in  
20 Greenville County under that name. This is a classic  
21 mistake of developer created governing documents. When they  
22 got around to incorporating the HOA, the name wasn't  
23 available. So, they used Churchill Park instead. Mr. Nix  
24 has made it very complicated and complex. He's filed what I  
25 consider fraudulent paperwork with the secretary of state,

Exhibit

G

STATE OF SOUTH CAROLINA

ISSUED BY THE COMMON PLEAS COURT IN THE COUNTY OF CHARLESTON

CHURCHILL PARK, Plaintiff

SUBPOENA IN A CIVIL CASE

ALAN G NIX and NORMA J NIX, Defendant

Case Number: 2017-CP-10-04031

Pending in Charleston County

TO: Capers G Barr, IV

YOU ARE COMMANDED to appear above case.

PLACE OF TESTIMONY

and time specified below to testify in the

YOU ARE COMMANDED to deposition in the above case.

PLACE OF DEPOSITION

to testify at the taking of a

*Alan Nix*  
*Rec'd 16 Nov 2017*

YOU ARE COMMANDED to produce and copying of the following documents or objects in your possession, custody or control at the date and time specified below (list documents of objects:

All documents in written, printed, or electronically stored format related to 1) liens in the name of Churchill Park Homeowners' Association, Inc. filed by you and the firm of Barr, Unger & McIntosh, LLC with the Charleston County RMC on July 18, 2016 in Book 0569, Page 039 and Page 040 as well as the related satisfaction recorded in Book 575, Page 852. Also, produce all documents in written, printed, or electronically stored format related to the letter dated 5 July 2017. First page of letter included for your reference. If you claim attorney client privilege related to any documents in your possession, please provide register citing document description, date, format, and rationale for claiming privilege.

PLACE Barr, Unger & McIntosh, LLC 11 Broad St, SC 29401

DATE AND TIME November 16, 2017, 10:00 AM

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below:

PREMISES

DATE AND TIME

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature

Date

Print Name

Indicate if Attorney for Plaintiff or Defendant  
Attorney's Address and Telephone Number :

*Julie S. Armstrong*

11-8-17

Julie S. Armstrong

Clerk of Court/Issuing Office's Signature  
Pro Se Litigant's Name, Address and Telephone Number :  
Alan G. Nix, 1401 Hensmore Circle, Mt. Pleasant, SC 29523-7239-2400

Date

Print Name

**Rule 45(3) SCRCP** The clerk shall issue a subpoena, signed but otherwise in blank, to a party requesting it, who shall complete it before service.

**(c) Protection of Persons Subject to Subpoenas.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or other wise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) Duties in Responding to Subpoena.**

**(1)(A)** A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

**(B)** If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C)** A person responding to a subpoena need not produce the same electronically stored information in more than one form.

**(D)** A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

**(2)(A)** When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

**(B)** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

## **Capers Barr IV**

---

**From:** Rick Riccoboni <[rickrj@lppminc.com](mailto:rickrj@lppminc.com)>  
**Sent:** Wednesday, July 13, 2016 7:47 AM  
**To:** 'Capers Barr IV'  
**Cc:** 'Rick C'; 'maureen'  
**Subject:** Liens  
**Attachments:** 17340 - Collection Letter 2.docx; 17294 - Collection Letter 2.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Capers,

Please place a lien on the two properties whose letters are attached in the name of Churchill Park Homeowners Association, Inc. for the amounts shown on the letters. Call me with whatever questions you may have.

Rick

**Rick Riccoboni**  
**LPPM, Inc.**  
**Ofc: 843-647-7555 Ext #2**  
**Cell: 516-784-8620**  
**[rickrj@lppminc.com](mailto:rickrj@lppminc.com)**



**Licensed Professional Property  
Management**

July 5, 2016

Chris Klobukowski  
1449 Thayer Place  
Mount Pleasant, SC 29466

Ref: 1449 Thayer Place Past Due Annual Dues

Dear Jeanne & Chris,

Item	Amount Owning
Annual Dues	\$ 279.00
Legal Fees	\$ 400.00
Fine owing for Annual Dues	\$793.00
Fine owing for Annual Dues	\$25.00
Fine owing for Annual Dues	\$25.00
Fine owing for Annual Dues	\$25.00
Fine owing for Annual Dues	\$25.00
Fine owing for Late Assessment Collection Letter 1	\$25.00
<b>TOTAL</b>	<b>\$1,597.00</b>

This letter will serve as notice to you that you're Neighborhood HOA assessment has not been received to date. Previous requests for payment have not been answered. We have no other choice but to assess a Late Fee of \$400.00. It is included in your total due amount above.

We have sent your account to our attorney for legal action, lien levy, and collection efforts. This will result in additional legal fees. To avoid further legal action we urge you to contact LPPM, Inc., Churchill Park HOA Management Agent, today at 843-647-7555.

Thank you.

LPPM, Inc.  
Churchill Park HOA Management Agent

1121 Park West Blvd.  
Suite B # 171  
Mount Pleasant SC 29466

Tel: 843.647.7555  
Fax: 843.647.7398  
www.lppminc.com



Licensed Professional Property  
Management

July 5, 2016

Medina, Tina  
1172 Willoughby Lane  
Mount Pleasant, SC 29466

Ref: 1172 Willoughby Lane Past Due Annual Dues

Dear Medina,

Item	Amount Owning
Annual Dues	\$ 279.00
Legal Fees	\$ 400.00
Fine owing for Annual Dues	\$864.80
Fine owing for Annual Dues	\$25.00
Fine owing for Annual Dues	\$25.00
Fine owing for Annual Dues	\$25.00
Fine owing for Annual Dues	\$25.00
Fine owing for Late Assessment	\$25.00
Collection Letter 1	
TOTAL	\$1,668.80

This letter will serve as notice to you that you're Neighborhood HOA assessment has not been received to date. Previous requests for payment have not been answered. We have no other choice but to assess a Late Fee of \$400.00. It is included in your total due amount above.

We have sent your account to our attorney for legal action, lien levy, and collection efforts. This will result in additional legal fees. To avoid further legal action we urge you to contact LPPM, Inc., Churchill Park HOA Management Agent, today at 843-647-7555.

Thank you.

LPPM, Inc.  
Churchill Park HOA Management Agent

1121 Park West Blvd.  
Suite B # 171  
Mount Pleasant SC 29466

Tel: 843.647.7555  
Fax: 843.647.7398  
www.lppminc.com

**BARR, UNGER  
& MCINTOSH**  
ATTORNEYS AT LAW

*Capers G. Barr, IV*  
Email: [cbarr@barrungermcintosh.com](mailto:cbarr@barrungermcintosh.com)

July 18, 2016

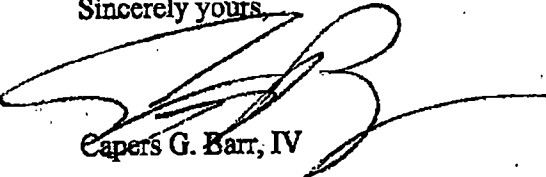
Christopher J. Klobukowski, Jr.  
Karen Jeanne Klobukowski  
1449 Thayer Place  
Mt. Pleasant, SC 29466

**RE: *Churchill Park Homeowners Association, Inc.  
Delinquent Assessments  
1449 Thayer Place, Mt. Pleasant, SC 29466***

Dear Mr. and Mrs. Klobukowski:

Please find enclosed a copy of a Notice of Lien which has been filed with the Charleston County RMC Office in connection with the above referenced matter. I am also enclosing a Fair Debt Collection Practices Act Notice.

Sincerely yours,



Capers G. Barr, IV

Enclosures (as stated)  
cc: Churchill Park Homeowners Association, Inc.  
CGBiv:seg

**THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL  
BE USED FOR THAT PURPOSE**





**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT,  
THE ACT, 15 USC §1692, AS AMENDED**

**TO: Christopher J. Klobukowski, Jr. and Karen Jeanne Klobukowski**  
**RE: 1449 Thayer Place, Mt. Pleasant, SC 29466**

1. The amount of the debt is \$1,807.00, which constitutes unpaid property owners assessments on 1449 Thayer Place, Mt. Pleasant, SC assessed as of July 5, 2016, pursuant to the Declaration of Protective covenants for Churchill Park.
2. The Creditor, to whom the debt is owed, is Churchill Park Homeowners Association, Inc.
3. The debt described above will be assumed to be valid by the Creditor's law firm, unless you, the Debtor, within thirty (30) days after the receipt of this notice, disputes, in writing, the validity of the debt or some portion thereof.
4. If the Debtor notifies the Creditor's law firm in writing within thirty (30) days of the receipt of this notice that the debt, or any portion thereof, is disputed, the Creditor's law firm will obtain a verification of the debt and a copy of the verification will be mailed to the Debtor by the Creditor's law firm.
5. If the creditor named above is not the original Creditor, and if you make a written request of the Creditor's law firm within thirty (30) days from the receipt of this notice, the name and address of the original Creditor will be mailed to you by the Creditor's law firm.
6. Written requests should be addressed to:  

Capers G. Barr, IV  
Barr, Unger & McIntosh, LLC  
P. O. Box 1037  
Charleston, SC 29402
7. This notice should not be construed as a thirty (30) day grace period.

**THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT  
PURPOSE.**

**\*\*\*Please note that this balance is current as of the date stated above. It does not include all legal fees or costs of collection. It does not take into consideration any additional assessments, late charges or credits posted to your account after that the above stated date.\*\*\***



BP0569039

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3

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**NOTICE OF LIEN**

**YOU WILL PLEASE TAKE NOTICE** that Churchill Park Homeowners Association, Inc. does hereby file the within Notice of Lien in accordance with the Declaration of Protective Covenants for Churchill Park recorded in the R.M.C. Office for Charleston County on January 10, 2000, in Book S340 at Page 595, for delinquent assessments which have not been paid upon the premises described below and carried on the records of the undersigned in the name of the property owner(s) listed herein below in the amount set forth herein, to wit:

**Property Owner(s): Christopher J. Klobukowski, Jr. and Karen Jeanne Klobukowski**

**Property Address: 1449 Thayer Place, Mt. Pleasant, SC 29466**

**Legal Description: Lot 87, Churchill Park**

**Plat Reference: Plat Book ED, Page 411**

**TMS #: 598-03-00-012**

**Amount of Lien: One Thousand Eight Hundred Seven and 00/100 (\$1,807.00)**

Dollars, which amount is justly due and owed the Pier Pointe Villas Council of Co-Owners, Inc., as of July 5, 2016.

The above-described assessments, together with any future unpaid assessments, and attorney's fees constitute a lien on the above described property.

EXECUTED this 18 day of July, 2016

WITNESS:

Churchill Park Homeowners  
Association, Inc.

[Signature]  
Susan E. Gates

BY: [Signature]  
Capers G. Barr, IV  
Its: Attorney

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHARLESTON    )

ACKNOWLEDGMENT

I, Susan E. Gates, do hereby certify that Churchill Park Homeowners Association, Inc. by Capers G. Barr, IV, Esquire, its attorney, personally appeared before me this day and acknowledged due execution of the foregoing instrument.

Witness my hand and official seal this 18 day of July, 2016

[Signature]  
Susan E. Gates  
NOTARY PUBLIC - South Carolina  
My Commission Expires: 06-28-2026

# RECORDER'S PAGE



**NOTE:** This page **MUST** remain with the original document

**Filed By:**

BARR UNGER & MCINTOSH, L.L.C.  
 P.O. BOX 1037  
 CHARLESTON SC 29402 (BOX)

<b>RECORDED</b>		
Date:	July 18, 2016	
Time:	2:16:08 PM	
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0569	039	Notice/Ln
Charlie Lybrand, Register Charleston County, SC		

**MAKER:**

KLOBUKOWSKI C J JR AL

# of Pages: **3**  
 # of Sats:  # of References:

Note:

**RECIPIENT:**

CHURCHILL PARK HOA

Recording Fee	\$ 10.00
Extra Reference Cost	\$ -
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
<b>TOTAL</b>	<b>\$ 10.00</b>

**Original Book:**

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**DRAWER** **Drawer 1**  
**CLERK** **KLH**



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Recorded Time

**BARR, UNGER  
& MCINTOSH**  
ATTORNEYS AT LAW

*Capers G. Barr, IV*  
Email: [cbarr@barrungermcintosh.com](mailto:cbarr@barrungermcintosh.com)

July 18, 2016

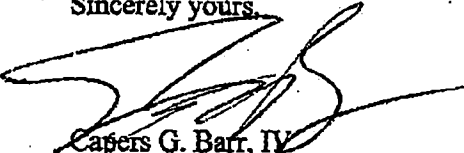
Tina Medina  
4662 Jenkins Avenue  
North Charleston, SC 29405

**RE: Churchill Park Homeowners Association, Inc.  
Delinquent Assessments  
1172 Willoughby Lane, Mt. Pleasant, SC 29466**

Dear Ms. Medina:

Please find enclosed a copy of a Notice of Lien which has been filed with the Charleston County RMC Office in connection with the above referenced matter. I am also enclosing a Fair Debt Collection Practices Act Notice.

Sincerely yours,



Capers G. Barr, IV

Enclosures (as stated)  
cc: Churchill Park Homeowners Association, Inc.  
CGBiv:seg

**THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL  
BE USED FOR THAT PURPOSE.**

**BARR, UNGER  
& MCINTOSH**  
ATTORNEYS AT LAW

*Capers G. Barr, IV*  
Email: [cbarr@barrungermcintosh.com](mailto:cbarr@barrungermcintosh.com)

July 18, 2016

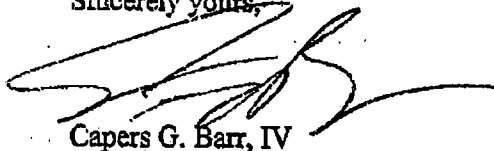
Tina Medina  
1172 Willoughby Lane  
Mt. Pleasant, SC 29466

**RE: Churchill Park Homeowners Association, Inc.  
Delinquent Assessments  
1172 Willoughby Lane, Mt. Pleasant, SC 29466**

Dear Ms. Medina:

Please find enclosed a copy of a Notice of Lien which has been filed with the Charleston County RMC Office in connection with the above referenced matter. I am also enclosing a Fair Debt Collection Practices Act Notice.

Sincerely yours,



Capers G. Barr, IV

Enclosures (as stated)  
cc: Churchill Park Homeowners Association, Inc.  
CGBiv:seg

**THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL  
BE USED FOR THAT PURPOSE**

STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

**NOTICE OF LIEN**

**YOU WILL PLEASE TAKE NOTICE** that Churchill Park Homeowners Association, Inc. does hereby file the within Notice of Lien in accordance with the Declaration of Protective Covenants for Churchill Park recorded in the R.M.C. Office for Charleston County on January 10, 2000, in Book S340 at Page 595, for delinquent assessments which have not been paid upon the premises described below and carried on the records of the undersigned in the name of the property owner(s) listed herein below in the amount set forth herein, to wit:

**Property Owner(s): Tina Medina**

**Property Address: 1172 Willoughby Lane, Mt. Pleasant, SC 29466**

**Legal Description: Lot 01, Churchill Park**

**Plat Reference: Plat Book ED, Page 903**

**TMS #: 598-03-00-073**

**Amount of Lien: One Thousand Eight Hundred Seventy-Eight and 80/100 (\$1,878.80) Dollars, which amount is justly due and owed the Pier Pointe Villas Council of Co-Owners, Inc., as of July 5, 2016.**

The above-described assessments, together with any future unpaid assessments, and attorney's fees constitute a lien on the above described property.

EXECUTED this 18 day of July, 2016

WITNESS:

Churchill Park Homeowners Association, Inc.

*Susan E. Gates*

BY: *Capers G. Barr, IV*  
Its: Attorney

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHARLESTON    )

**ACKNOWLEDGMENT**

I, Susan E. Gates, do hereby certify that Churchill Park Homeowners Association, Inc. by Capers G. Barr, IV, Esquire, its attorney, personally appeared before me this day and acknowledged due execution of the foregoing instrument.

Witness my hand and official seal this 18 day of July, 2016

*Susan E. Gates*  
Susan E. Gates  
NOTARY PUBLIC - South Carolina  
My Commission Expires: 06-28-2026

**NOTICE REQUIRED BY THE FAIR DEBT COLLECTION PRACTICES ACT,  
THE ACT, 15 USC §1692, AS AMENDED**

**TO: Tina Medina**  
**RE: 1172 Willoughby Lane, Mt. Pleasant, SC 29466**

1. The amount of the debt is **\$1,878.80**, which constitutes unpaid property owners assessments on **1172 Willoughby Lane, Mt. Pleasant, SC** assessed as of **July 5, 2016**, pursuant to the Declaration of Protective covenants for Churchill Park.
2. The Creditor, to whom the debt is owed, is Churchill Park Homeowners Association, Inc.
3. The debt described above will be assumed to be valid by the Creditor's law firm, unless you, the Debtor, within thirty (30) days after the receipt of this notice, disputes, in writing, the validity of the debt or some portion thereof.
4. If the Debtor notifies the Creditor's law firm in writing within thirty (30) days of the receipt of this notice that the debt, or any portion thereof, is disputed, the Creditor's law firm will obtain a verification of the debt and a copy of the verification will be mailed to the Debtor by the Creditor's law firm.
5. If the creditor named above is not the original Creditor, and if you make a written request of the Creditor's law firm within thirty (30) days from the receipt of this notice, the name and address of the original Creditor will be mailed to you by the Creditor's law firm.
6. Written requests should be addressed to:  

Capers G. Barr, IV  
Barr, Unger & McIntosh, LLC  
P. O. Box 1037  
Charleston, SC 29402
7. This notice should not be construed as a thirty (30) day grace period.

**THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT  
PURPOSE.**

**\*\*\*Please note that this balance is current as of the date stated above. It does not include all legal fees or costs of collection. It does not take into consideration any additional assessments, late charges or credits posted to your account after that the above stated date.\*\*\***

## Capers Barr IV

---

**From:** rickrjr <rickrjr@gmail.com>  
**Sent:** Monday, August 08, 2016 7:53 AM  
**To:** Capers Barr IV  
**Subject:** Tina Medina

Capers. Please release the lien on Tina Medina as discussed.  
Thanks.

Rick R

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone



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X

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

**SATISFACTION OF LIEN**

FOR VALUABLE CONSIDERATION, the undersigned does hereby cancel and satisfy that certain Notice of Lien, filed against Lot 01, Churchill Park in the name of Tina Medina dated July 18, 2016, and duly recorded in the Office of the RMC for Charleston County on July 18, 2016, in Book 0569 at Page 040 in the amount of One Thousand Eight Hundred Seventy-Eight and 80/100ths (\$1,878.80) Dollars.

This 12 day of August, 2016

IN THE PRESENCE OF:

**CHURCHILL PARK HOMEOWNERS ASSOCIATION, INC.**

Capers G. Barr, IV  
Susan E. Gates

By: [Signature]  
By: Capers G. Barr, IV  
Its: Attorney

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

**ACKNOWLEDGMENT**

I, Susan E. Gates, do hereby certify that Churchill Park Homeowners Association, Inc., by Capers G. Barr, IV, its Attorney, personally appeared before me this day and acknowledged due execution of the foregoing instrument.

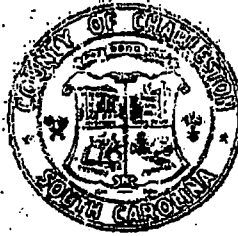
Witness my hand and official seal this 12 day of August, 2016

[Signature]

Susan E. Gates  
NOTARY PUBLIC - South Carolina

My Commission Expires: June 28, 2026

# RECORDER'S PAGE



**NOTE:** This page **MUST** remain with the original document

**Filed By:**

**BARR UNGER & MCINTOSH, L.L.C.**  
 P.O. BOX 1037  
 CHARLESTON SC 29402 (BOX)

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Date:	August 15, 2016	
Time:	1:45:17 PM	
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Charlie Lybrand, Register Charleston County, SC		

**MAKER:**

**MEDINA TINA**

**RECIPIENT:**

**CHURCHILL PARK HOA**

**Original Book:**

**0569**

**Original Page:**

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# of Pages: **2**  
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Note:

Recording Fee	\$ 5.00
Extra Reference Cost	\$ -
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
<b>TOTAL</b>	<b>\$ 5.00</b>

**DRAWER** **Drawer 1**  
**CLERK** **KLH**



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13:45:17  
Recorded Time

5 July 2017

Alan Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

To:  
Churchill Park Homeowners Association, Inc.  
c/o LPPM, Inc  
1121 Park West Blvd  
Mt. Pleasant, SC 29466

Churchill Park Homeowners Association, Inc.  
c/o John Reyelt  
Gold Crown Management, Inc.  
1805 Oak St.  
Myrtle Beach, SC 29577

Churchill Park Homeowners Association, Inc.  
c/o Larry Ridlehoover  
101 Rice Bent Way, Unit #11  
Columbia, SC 29229

Caper Barr  
Barr Unger & McIntosh, LLC  
PO Box 1037  
Charleston, SC 29402

Randall Stoney  
Luzuriaga Mims, LLP  
50 Immigration Street, Suite 200  
Charleston, SC 29403

The Honorable Henry McMaster  
State House  
1100 Gervais Street  
Columbia, SC 29201

Re: Churchill Park Homeowners Association Inc. - 10 day Cure Notice

To Ali,

This letter is an official request by a Member of Churchill Park Homeowners Association, Inc., to ask that all necessary steps be taken immediately to bring the Churchill Park homeowners association back into proper compliance with all normal and legal corporate requirements and standards. The below required actions, not intended to be an exclusive list, are required to be completed no later than noon on 17 July 2017.

- 1) Complete and submit a NOTICE OF CHANGE OF REGISTERED OFFICE OR REGISTERED AGENT OR BOTH OF A NONPROFIT CORPORATION (pursuant to Sections 33-31-502 and 33-31-1508)
- 2) Complete and submit a NOTICE OF CHANGE OF PRINCIPAL OFFICE FOR A NONPROFIT CORPORATION (pursuant to Section 33-31-505)
  - a. Please note: NO DELAYED DATE ALLOWED.
- 3) Update the Department of Revenue Annual Report filed 31 Dec 2014 to:
  - a. Line 3: List the name of the Registered Agent
  - b. Line 3: Change the Location of the Registered Agent to a physical street address
  - c. Line 4: List Nature of principal business in SC
  - d. Line 7: List the names and business addresses of the directors (or individuals functioning as directors) and principal officers
  - e. Line 9: List the FEIN
  - f. Line 13: Please indicate if filing consolidated.

## Capers Barr IV

---

**From:** Jerry Watson <Jerry.Watson@gold-crown.com>  
**Sent:** Thursday, July 13, 2017 11:27 AM  
**To:** Capers Barr IV  
**Subject:** RE: Churchill Park

Thanks Capers. We received them as well.

Jerry

---

**From:** Capers Barr IV [mailto:cbarr@barrungermcintosh.com]  
**Sent:** Thursday, July 13, 2017 11:06 AM  
**To:** Jerry Watson  
**Cc:** Capers Barr IV  
**Subject:** FW: Churchill Park

Jerry

Gold Crown may have already received this correspondence, but attached are two letters I received last week from Alan Nix concerning Churchill Park

Regards  
Capers

Capers G. Barr, IV  
Barr, Unger & McIntosh, LLC  
Attorneys at Law  
11 Broad Street  
P.O. Box 1037  
Charleston, SC 29402  
843-577-5083 (office)  
843-224-2631 (mobile)  
[cbarr@barrungermcintosh.com](mailto:cbarr@barrungermcintosh.com)  
[www.barrungermcintosh.com](http://www.barrungermcintosh.com)

**From:** RickR [mailto:RICKRJR@LPPMINC.COM]  
**Sent:** Tuesday, July 11, 2017 9:18 PM  
**To:** Capers Barr IV <cbarr@barrungermcintosh.com>  
**Cc:** Jerry Watson <Jerry.Watson@gold-crown.com>  
**Subject:** RE: Churchill Park

Capers,

Send to Jerry Watson at Gold Crown who is copied on this E-Mail.

Rick

**From:** Capers Barr IV [mailto:cbarr@barrungermcintosh.com]  
**Sent:** Monday, July 10, 2017 11:38 AM  
**To:** RICK RICCOBONI (RICKRJR@LPPMINC.COM) <RICKRJR@LPPMINC.COM>

**Cc:** Capers Barr IV <[cbarr@barrungermcintosh.com](mailto:cbarr@barrungermcintosh.com)>

**Subject:** Churchill Park

Rick:

I have received correspondence from an Alan Nix, who is apparently a property owner in Churchill Park.

Can you please let me know who I should send this correspondence to at the HOA?

Thanks

Capers

Capers G. Barr, IV  
Barr, Unger & McIntosh, LLC  
Attorneys at Law  
11 Broad Street  
P.O. Box 1037  
Charleston, SC 29402  
843-577-5083 (office)  
843-224-2631 (mobile)  
[cbarr@barrungermcintosh.com](mailto:cbarr@barrungermcintosh.com)  
[www.barrungermcintosh.com](http://www.barrungermcintosh.com)

R. 7/1/17

5 July 2017

Alan Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

To:  
Churchill Park Homeowners Association, Inc.  
c/o LPPM, Inc  
1121 Park West Blvd  
Mt. Pleasant, SC 29466

Churchill Park Homeowners Association, Inc.  
c/o John Reylet  
Gold Crown Management, Inc.  
1805 Oak St.  
Myrtle Beach, SC 29577

Churchill Park Homeowners Association, Inc.  
c/o Larry Riddlehoover  
101 Rice Bent Way, Unit #11  
Columbia, SC 29229

✓ Caper Barr  
Barr Unger & McIntosh, LLC  
PO Box 1037  
Charleston, SC 29402

Randall Stoney  
Luzuriaga Mims, LLP  
50 Immigration Street, Suite 200  
Charleston, SC 29403

The Honorable Henry McMaster  
State House  
1100 Gervais Street  
Columbia, SC 29201

Re: Churchill Park Homeowners Association Inc. - 10 day Cure Notice

To All,

This letter is an official request by a Member of Churchill Park Homeowners Association, Inc., to ask that all necessary steps be taken immediately to bring the Churchill Park homeowners association back into proper compliance with all normal and legal corporate requirements and standards. The below required actions, not intended to be an exclusive list, are required to be completed no later than noon on 17 July 2017.

- 1) Complete and submit a NOTICE OF CHANGE OF REGISTERED OFFICE OR REGISTERED AGENT OR BOTH OF A NONPROFIT CORPORATION (pursuant to Sections 33-31-502 and 33-31-1508)
- 2) Complete and submit a NOTICE OF CHANGE OF PRINCIPAL OFFICE FOR A NONPROFIT CORPORATION (pursuant to Section 33-31-505)
  - a. Please note: NO DELAYED DATE ALLOWED.
- 3) Update the Department of Revenue Annual Report filed 31 Dec 2014 to:
  - a. Line 3: List the name of the Registered Agent
  - b. Line 3: Change the Location of the Registered Agent to a physical street address
  - c. Line 4: List Nature of principal business in SC
  - d. Line 7: List the names and business addresses of the directors (or individuals functioning as directors) and principal officers
  - e. Line 9: List the FEIN
  - f. Line 13: Please indicate if filing consolidated.

- g. Line 14: complete Totals where appropriate
- 4) Update the Department of Revenue Annual Report filed 2 June 2016 to:
  - a. Line 3: Change the Location of the Registered Agent to a physical street address
  - b. Line 4: List Nature of principal business in SC
  - c. Line 7: List the names and business addresses of the directors (or Individuals functioning as directors) and principal officers
  - d. Line 9: List the FEIN
  - e. Please Indicated if filing consolidated.
  - f. Line 14: complete Totals where appropriate
- 5) Submit Annual Reports for the years 2000-2013 to the SC Department of Revenue and / or SC Secretary of State, as required, for each year.
  - a. Ensure each of the issues pointed out in number 3 and number 4 above are correct for these submissions.
- 6) Submit an Annual Report to the SC Department of Revenue for 2016
  - a. Ensure each of the issues pointed out in number 3 and number 4 above are correct for these submissions.

**Notice to Mr. Hammond and Mr. Powell.**

**Please ensure:**

- 1) a copy of all payment information is retained with your agencies files for Churchill Park Homeowners Association, Inc., to include, but not limited to, scanned and photocopied copies of checks, credit / debit card receipts, etc.
- 2) Ensure all information on the forms to be updated or provided are complete and legible

**PLEASE NOTE:**

**Within five business days after 17 July 2017, I will be at the address of the Principal Office of Churchill Park Homeowners Association, Inc. as reflected on the records of the SC Secretary of State and the 2016 Annual Report filed with the SC Department of Revenue, to inspect Churchill Park Homeowners Association Inc.'s permanent records.**

**Given the incident on 1 May 2017 at the Churchill at Park West / Churchill @ Parkwest homeowners meeting at Heritage Federal Credit Union in the Park West neighborhood, I will most likely ask Law Enforcement to accompany me to ensure no unexpected events occur a second time.**

**Mr. Hammond and Mr. Powell.**

**I believe this use case demonstrates several significant material weaknesses in the States business systems and consequently, begs this State, and your Offices' in particular, to make a very strong recommendation to the Governor to reinstitute the requirement for ALL Corporations doing business in SC to file a comprehensive Corporate Annual Report with the SC Secretary of State's Office on an annual basis.**

**Additionally, recommend adopting an Entity Identification Number for all Corporations listed with the SC Secretary of State. I haven't look at every states Secretary of States website, but by far the majority have instituted this type of identification system, most many years ago.**

**Additionally to Mr. Hammond specifically, in the spirit of greater transparency and information availability, I would strongly recommend you review your Agencies new Business Filings website for the following improvements / corrections.**

- 1) List and make available for direct download all filings of a business entity required to be filed with your Office.
  - a. Ironically, with all of the work the State did last year revamping the website, it appears that much less information about a Corporation is now visible on the website. Traditionally, when an organization invests significant capital in an information system upgrade, normally more information is available....not LESS.
  - b. If the State still does not believe this information should be readily available to the public, to include no fee to obtain, perhaps strongly considering an annual fee \$25 to register to the website to download the information.
- 2) IMPORTANT NOTE: as reported to your agency last week, the website's security certificate expired 19 Jun 2016. To clarify, June 2016....not 2017.

Please ensure all replies to this Notice are addressed to all in the To line and cc line below.

Best regards,



Alan Nix

Enclosures:

- Department of Revenue Annual Report: Churchill Park Homeowners Association, Inc. – 2014
- Department of Revenue Annual Report: Churchill Park Homeowners Association, Inc. – 2015
- Assignment of Lien and Foreclosure, Churchill Park Homeowners Association, Inc. to Park West Master Association – 2013
- Lien – Churchill Park Homeowners Association, Inc. - Filed against Tina Medina – 2016
- Answer to Small Claims suit 2017CV1001500354

cc.

Mark Hammond, SC Secretary of State  
 1205 Pendleton Street  
 Suite 525  
 Columbia, SC 29201

W. Hartley Powell, Director  
 SC Department of Revenue  
 300 A Outlet Pointe Blvd  
 PO Box 125  
 Columbia, SC 29214

Alan Wilson, SC Attorney General  
 PO Box 11549  
 Columbia, SC 29221

Stephanie Trotter  
 McCabe, Trotter & Beverly PC  
 PO Box 201069  
 Columbia, SC 29221

Todd Musheff  
 c/o Southern Community Services  
 3301 Salterbeck Street, Suite 200  
 Mount Pleasant, SC 29466

Ryan McCabe  
 McCabe, Trotter & Beverly PC  
 PO Box 212069  
 Columbia, SC 29221

SC1120

**SCHEDULE D ANNUAL REPORT TO BE COMPLETED BY ALL CORPORATIONS**

1. Name \_\_\_\_\_

2. Incorporated under the laws of the State of SC

3. Location of the Registered Office of the Corporation in the State of South Carolina is 1121 PARK WEST BLVD  
 In the City of MOUNT PLEASANT Registered Agent at such address is \_\_\_\_\_

4. Location of principal office (street address) 1121 PARK WEST BLVD

5. The total number of authorized shares of capital stock, itemized by class and series, if any, within each class is as follows:  
 Nature of principal business in SC \_\_\_\_\_  
 NUMBER OF SHARES: \_\_\_\_\_ CLASS: \_\_\_\_\_ SERIES: \_\_\_\_\_

6. The total number of issued and outstanding shares of capital stock itemized by class and series, if any, within each class is as follows:  
 NUMBER OF SHARES: \_\_\_\_\_ CLASS: \_\_\_\_\_ SERIES: \_\_\_\_\_

7. The names and business addresses of the directors (or individuals functioning as directors) and principal officers in the Corporation are:  
 (If additional space is necessary, attach separate schedule).

NAME	TITLE	BUSINESS ADDRESS

8. Date incorporated 01-24-2000 Date commenced business in the State of South Carolina was 01-24-2000  
 9. Date of this report \_\_\_\_\_ FEIN \_\_\_\_\_

10. If Foreign Corporation, the date qualified to do business in the State of South Carolina is \_\_\_\_\_  
 11. Was the name of the Corporation changed during the year? NO Give old name \_\_\_\_\_  
 12. The Corporation's books are in the care of % CHURCHILL PARK HOMEOWNERS ASSOC INC  
 Located at (street address) 1121 PARK WEST BLVD, MOUNT PLEASANT, SC 29466

13. If filing consolidated, complete and attach Schedule J for each Corporation included in the consolidation.

14. The total amount of stated capital per balance sheet is:  
 A. Total paid in Capital Stock (cannot be a negative amount) . . . \$ \_\_\_\_\_  
 B. Total paid in Capital Surplus (cannot be a negative amount) . . . \$ \_\_\_\_\_  
 C. Total amount of stated Capital (cannot be a negative amount) . . . \$ \_\_\_\_\_



SC1120

**SCHEDULE D ANNUAL REPORT TO BE COMPLETED BY ALL CORPORATIONS**

1. Name [REDACTED]  
 2. Incorporated under the laws of the State of SC  
 3. Location of the Registered Office of the Corporation in the State of South Carolina is 1121 PARK WEST BLVD  
 In the City of MT PLEASANT Registered Agent at such address is LPPM INC  
 4. Location of principal office (street address) 1121 PARK WEST BLVD  
 Nature of principal business in SC \_\_\_\_\_  
 5. The total number of authorized shares of capital stock, itemized by class and series, if any, within each class is as follows:  
 NUMBER OF SHARES: \_\_\_\_\_ CLASS: \_\_\_\_\_ SERIES: \_\_\_\_\_

6. The total number of issued and outstanding shares of capital stock itemized by class and series, if any, within each class is as follows:  
 NUMBER OF SHARES: \_\_\_\_\_ CLASS: \_\_\_\_\_ SERIES: \_\_\_\_\_

7. The names and business addresses of the directors (or individuals functioning as directors) and principal officers in the Corporation are:  
 (if additional space is necessary, attach separate schedule).  

NAME	TITLE	BUSINESS ADDRESS

8. Date incorporated 01-24-2000 Date commenced business in the State of South Carolina was 01-24-2000  
 9. Date of this report [REDACTED] FEIN \_\_\_\_\_

10. If Foreign Corporation, the date qualified to do business in the State of South Carolina is \_\_\_\_\_  
 11. Was the name of the Corporation changed during the year? NO Give old name \_\_\_\_\_

12. The Corporation's books are in the care of CHURCHILL PARK HOMEOWNERS ASSOC INC  
 Located at (street address) 1121 PARK WEST BLVD, MOUNT PLEASANT, SC 29466

13. If filing consolidated, complete and attach Schedule J for each Corporation included in the consolidation.  
 14. The total amount of stated capital per balance sheet is:  
 A. Total paid in Capital Stock (cannot be a negative amount) \$ \_\_\_\_\_  
 B. Total paid in Capital Surplus (cannot be a negative amount) \$ \_\_\_\_\_  
 C. Total amount of stated Capital (cannot be a negative amount) \$ \_\_\_\_\_

**ATTACH COMPLETE COPY OF FEDERAL RETURN**  
 Make check payable to: SC Department of Revenue. Include Business Name, FEIN and SC File Number.  
 Go to [www.dor.sc.gov](http://www.dor.sc.gov), Services, File & Pay Now, DORePay for other payment options.  
**MAIL RETURN TO THE PROPER ADDRESS**

<b>BALANCE DUE:</b> SCDOR CORPORATE TAXABLE COLUMBIA, SC 29214-0033	<b>REFUNDS OR ZERO TAX:</b> SCDOR CORPORATE REFUND COLUMBIA, SC 29214-0032
--	---

30913024



BP0588040

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

**NOTICE OF LIEN**

**YOU WILL PLEASE TAKE NOTICE** that Churchill Park Homeowners Association, Inc. does hereby file the within Notice of Lien in accordance with the Declaration of Protective Covenants for Churchill Park recorded in the R.M.C. Office for Charleston County on January 10, 2000, in Book S340 at Page 595, for delinquent assessments which have not been paid upon the premises described below and carried on the records of the undersigned in the name of the property owner(s) listed herein below in the amount set forth herein, to wit:

**Property Owner(s):** Tina Medina

**Property Address:** 1172 Willoughby Lane, Mt. Pleasant, SC 29466

**Legal Description:** Lot 01, Churchill Park

**Plat Reference:** Plat Book ED, Page 903

**TMS #:** 598-03-00-073

**Amount of Lien:** One Thousand Eight Hundred Seventy-Eight and 80/100 (\$1,878.80) Dollars, which amount is justly due and owed the Pier Pointe Villas Council of Co-Owners, Inc., as of July 5, 2016.

The above-described assessments, together with any future unpaid assessments, and attorney's fees constitute a lien on the above described property.

EXECUTED this 18 day of July, 2016

WITNESS:

Churchill Park Homeowners  
Association, Inc.

[Signature]  
Susan E. Gates

BY: [Signature]  
Capers G. Barr, IV  
Its: Attorney

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

ACKNOWLEDGMENT

I, Susan E. Gates, do hereby certify that Churchill Park Homeowners Association, Inc. by Capers G. Barr, IV, Esquire, its attorney, personally appeared before me this day and acknowledged due execution of the foregoing instrument.

Witness my hand and official seal this 18 day of July, 2016

[Signature]

Susan E. Gates  
NOTARY PUBLIC - South Carolina  
My Commission Expires: 06-28-2026

# RECORDER'S PAGE



**NOTE:** This page MUST remain with the original document

**Filed By:**  
**BARR LINGER & MCINTOSH, L.L.C.**  
 P.O. BOX 1037  
 CHARLESTON SC 29402 (BOX)

RECORDED		
Date:	July 18, 2018	
Time:	2:17:01 PM	
Book	Page	DocType
0589	040	Notice/Ln
Charla Lybrand, Register Charleston County, SC		

**MAKER:**  
**MEDINA TINA**

# of Pages: **3**  
 # of Sats:  # of References:

**RECIPIENT:**  
**CHURCHILL PARK HOA**

Notes:

Recording Fee	\$ 10.00
Extra Reference Cost	\$ -
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
<b>TOTAL</b>	<b>\$ 10.00</b>

Original Book:  Original Page:

**DRAWER** **Drawer 1**  
**CLERK** **KLH**



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Recordal Time

50 Immigration Street  
Suite 200  
Charleston, SC 29403  
(843) 410-4713 phone  
(800) 767-4976 facsimile  
www.lmlawllp.com

**LM** Luzuriaga Mims, LLP  
ATTORNEYS AT LAW

Randell C. Stoney III  
(843) 266-9781  
rstoney@lmlawllp.com

March 22, 2017

Charleston County Magistrate's Court  
Small Claims - North  
4045 Bridge View Drive  
P.O. Box 70235  
North Charleston, SC 29405

Re: Alan Nix v. Churchill Park HOA, et al.  
Case Number: 2017CV1011500354  
Claim Number: 072-0000125-2017  
LM File Number: 114-20177015

Dear Sir or Madam:

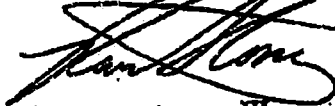
Enclosed please find the original and one (1) copy of an Answer to Plaintiff's Complaint on behalf of Defendants Churchill Park Homeowner's Association, Inc., Churchill Park at Parkwest, Inc., Churchill Park, Catherine Brown and Dave Brown in connection with the above-referenced matter. Please file the original and return a file-stamped copy to me in the envelope provided.

By copy of this correspondence to Plaintiff, I am providing him with a copy of the aforementioned Answer.

With kindest regards, I am

Sincerely,

LUZURIAGA MIMS, LLP



Randell C. Stoney III

RCS/res  
Enclosures

cc: Alan Nix  
1401 Densmore Circle  
Mt. Pleasant, SC 29466

STATE OF SOUTH CAROLINA )

IN THE MAGISTRATE'S COURT

COUNTY OF CHARLESTON )

Alan Nix, )

CASE NO. 2017CV1011500354

Plaintiff, )

v. )

ANSWER TO PLAINTIFF'S COMPLAINT

Churchill Park Homeowner's Association, )  
Inc., Churchill Park at Parkwest, Inc., )  
Churchill Park, Catherine Brown and )  
Dave Brown, )

Defendants. )

TO: ALAN NIX, *pro se* Plaintiff

Defendants, Churchill Park Homeowner's Association, Inc., Churchill Park at Parkwest, Inc., Churchill Park, Catherine Brown and Dave Brown, (hereinafter "Defendants"), by and through undersigned counsel, hereby answers Plaintiff's Complaint as follows:

1. Each and every allegation of Plaintiff's Complaint not specifically admitted or modified below is hereby denied.
2. Paragraph 1 of Plaintiff's Complaint is denied in that no allegations are set forth therein.
3. Paragraph 2 of Plaintiff's Complaint, including all subparts, is denied.
4. Paragraph 3 of Plaintiff's Complaint, including all subparts, is denied.
5. The Wherefore clause of Plaintiff's Complaint is denied.

**FOR A FIRST AFFIRMATIVE DEFENSE**  
**(Unconstitutionality of Punitive Damages)**

6. The imposition of punitive or exemplary damages against the Defendants would violate their constitutional rights under the Due Process clauses in the Fifth and Fourteenth



STATE OF SOUTH CAROLINA

ASSIGNMENT OF LIEN AND FORECLOSURE RIGHTS

COUNTY OF CHARLESTON

THIS ASSIGNMENT OF LIEN AND FORECLOSURE RIGHTS (the "Assignment") is made on the Execution Date (hereinafter defined) by and between:

ARLINGTON AT PARK WEST ASSOCIATION, INC.,
BERKLEIGH AT PARK WEST ASSOCIATION, INC.,
COATBRIDGE AT PARK WEST ASSOCIATION, INC.,
FOXMOOR HOMEOWNERS ASSOCIATION, INC.,
TENNYSON AT PARK WEST ASSOCIATION, INC.,
WHEATSTONE AT PARK WEST ASSOCIATION, INC.,
MASONBOROUGH AT PARK WEST ASSOCIATION, INC.,
MELROSE AT PARK WEST ASSOCIATION, INC.,
PEMBROKE AT PARK WEST ASSOCIATION, INC.,
SUMMERLIN AT PARK WEST ASSOCIATION, INC.,
WELLESLEY PLACE HOMEOWNER'S ASSOCIATION, INC. AND
CHURCHILL PARK HOMEOWNER'S ASSOCIATION, INC.
(collectively, "Assignors" or "Subordinate Associations"),

and

PARK WEST MASTER ASSOCIATION, INC. ("Assignee" or "Master Association").

WITNESSETH:

WHEREAS, that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PARK WEST MASTER ASSOCIATION dated December 17, 1997 and recorded in the Charleston County RMC Office in Book P29ar4 at Page 375 (as amended and supplemented, the "Master Declaration") encumbered the master-planned community commonly known as Park West, as more particularly described therein (the "Park West Property"), and established the Park West Master Association, Inc. (the "Master Association") to manage the maintenance and operation of the Park West Property, including without limitation granting the Master Association a continuing lien over Units located within the Park West Property to collect Assessments from those Unit Owners and the right to enforce and foreclose upon such liens for the collection of delinquent Assessments; and

WHEREAS, the Master Declaration provides for the creation of Subordinate Associations, by the recording of Subordinate Declarations encumbering specific portions of the Park West Property, to manage the maintenance and operation of such specified portions of the Park West Property; and

WHEREAS, that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ARLINGTON AT PARK WEST ASSOCIATION, INC. dated March 23, 2000 and recorded May 3, 2000 in the Charleston County RMC Office in Book 13346 at Page 430 (as amended and supplemented, the "Arlington Subordinate Declaration") encumbered the property commonly known as Arlington at Park West, as more particularly described therein (the "Arlington Property"), and established Arlington at Park West Association, Inc. (the "Arlington Subordinate Association") to manage the maintenance and operation of the Arlington Property, including without limitation granting the Arlington Subordinate

WHEREAS, that certain DECLARATION OF PROTECTIVE COVENANTS FOR WELLESLEY PLACE, dated November 20, 2000 and recorded November 21, 2009 in the Charleston County RMC Office in Book A359 at Page 223 (as amended and supplemented, the "Wellesley Place Subordinate Declaration") encumbered the property commonly known as Wellesley Place, as more particularly described therein (the "Wellesley Place Property"), and established the Wellesley Place Homeowner's Association, Inc. (the "Wellesley Place Subordinate Association") to manage the maintenance and operation of the Wellesley Place Property, including without limitation granting the Wellesley Place Subordinate Association a continuing lien over Lots located within the Wellesley Place Property to collect Assessments from those Lot Owners and the right to enforce and foreclose upon such liens for the collection of delinquent Assessments; and

WHEREAS, that certain DECLARATION OF PROTECTIVE COVENANTS FOR CHURCHILL PARK, dated January 5, 2000 and recorded January 10, 2010 in the Charleston County RMC Office in Book S340 at Page 595 (as amended and supplemented, the "Churchill Park Subordinate Declaration") encumbered the property commonly known as Churchill Park, as more particularly described therein (the "Churchill Park Property"), and established the Churchill Park Homeowner's Association, Inc. (the "Churchill Park Subordinate Association") to manage the maintenance and operation of the Churchill Park Property, including without limitation granting the Churchill Park Subordinate Association a continuing lien over Lots located within the Churchill Park Property to collect Assessments from those Lot Owners and the right to enforce and foreclose upon such liens for the collection of delinquent Assessments; and

WHEREAS, by the recording of this Assignment, Assignors hereby elect to assign to Assignee their aforementioned respective rights to enforce and foreclose upon their Assessment liens for the collection of delinquent Assessments (to include any and all associated fines, interest, costs, and attorney's fees as authorized by the applicable Subordinate Declaration).

NOW, THEREFORE, for value received, the Assignors hereby sell, transfer and assign unto the Assignee, its successors and assigns, their respective rights, as described herein, to enforce and foreclose upon their Assessment liens for the collection of delinquent Assessments, including any and all associated fines, interest, costs, and attorney's fees as authorized by the applicable Subordinate Declaration. The collection and enforcement rights transferred pursuant to this Assignment shall include all legal and equitable remedies granted to the Subordinate Associations as set forth in the applicable Subordinate Declaration.

This Assignment applies to all existing and future Assessment liens held by the Subordinate Associations. It is the intent of the parties for each Subordinate Association to continue filing its own Notice of Liens for delinquent Assessments, however by operation of this Assignment the Master Association possesses the rights to enforce and foreclose upon such Assessment liens.

The rights and benefits herein conferred upon the Assignee shall inure to the benefit of its successors and assigns.

Any capitalized terms used, but not defined, herein shall have the meaning set forth in the Master Declaration or the applicable Subordinate Declaration.

IN WITNESS WHEREOF, the undersigned have caused these presents to be duly executed on the date(s) of signature below (the "Execution Date"). If the signature dates differ, the later of the signature dates shall constitute the Execution Date.

WITNESSES:

S. Rogers  
(Witness #1)

(Witness #2)

ASSIGNOR:

Churchill Park Homeowners Association, Inc.

By: [Signature]  
Print Name: LARRY RIDLPH COVER  
Its: AGENT  
Date: 4/14/2013

STATE OF SOUTH CAROLINA )  
COUNTY OF Richland )

ACKNOWLEDGMENT  
S.C. §30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, Stephanie Trotter, a Notary Public for South Carolina, do hereby certify that Churchill Park Homeowner's Association, Inc., by its authorized officer, Larry Ridphover, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 24 day of April, 2013

[Signature]  
Notary Public for South Carolina  
My Commission Expires: 5-30-17

WITNESSES:

[Signature]  
 (witness #1)  
S. Trotter  
 (witness #2)

ASSIGNEE:

Park West Master Association, Inc.  
 By: [Signature]  
 Print Name: HARRY RIDLEY ROYER  
 Its: AGENT  
 Date: 4/16/2013

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF Richland )

ACKNOWLEDGMENT  
 S.C. §30-5-30  
 (EFFECTIVE JANUARY 1, 1995)

I, Stephanie Trotter, a Notary Public for South Carolina, do hereby certify that Park West Master Association, Inc., by its authorized officer, Larry Ridlehoover, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 24 day of April, 2013

S. Trotter  
 Notary Public for South Carolina  
 My Commission Expires: 5-30-17

*Index + Trace refs. per Title*  
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**Filed By:**  
**MCCABE TROTTER & BEVERLY**  
**PO BOX 212069**  
**COLUMBIA, SC 29210**

<b>RECORDED</b>		
Date:	April 29, 2013	
Time:	2:40:23 PM	
Book	Page	DocType
0326	993	Misc
Charlie Lybrand, Register Charleston County, SC		

RMC BK 0326 Pg 993 : Pg 18

**Maker:**  
**ARLINGTON @ PK WEST ETAL**

**Recipient:**  
**PARK WEST MASTER ASSN**

**Original Book:**  
**P294**

**Original Page:**  
**278**

# of Sets:  # of Pages:   
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Notes:

Recording Fee	\$ 10.00
Extra Reference Cost	\$ -
Extra Pages	\$ 13.00
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<b>TOTAL</b>	<b>\$ 23.00</b>

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P294  
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Recorded Time

2.7/5/17

30 June 2017

Alan Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

Churchill Park Homeowners Association, Inc.  
c/o Gold Crown Management  
1805 Oak Street  
Myrtle Beach, SC 29577

**Re: Second request: Churchill Park Homeowners Association Inc., 2017 Assessment Invoice Request**

Mr. Revelt,

This is a follow up request to the certified letter sent to your firm, Gold Crown Management, via certified letter (return signature) three weeks ago on 9 June 2017. Copy of signature card is enclosed for your reference.

If I missed your response with my Churchill Park Homeowners' Association, Inc. 2017 Assessment Invoice, please accept my apologies. If you did not send the requested invoice, please do so at once, with a post mark date no later than 5 July 2017.

I understand Ms. Trotter, Mr. McCabe, and Mr. Musheff do not represent Churchill Park Homeowners' Association, Inc., but given your lack of response to my letter to you on 5 May 2017 requesting the principal office address of "Churchill Park", Mr. Musheff's response on yours and "Churchill Park's" behalf, compounded with your lack of a response to the letter on 9 June 2017, I am also copying them via USPS, as well as Mr Riccoboni from LPPM, Inc, and Mr. Capers Barr from Barr, Unger, & McIntosh to ensure sufficient awareness of the most recent parties associated with Gold Crown Management and Churchill Park Homeowners' Association, Inc.

Once again, please respond with my 2017 assessment invoice for Churchill Park Homeowners' Association Inc. with a post mark date of no later than 5 July 2017.

Also, please include in your response the location of Churchill Park Homeowners' Association, Inc. corporate records so I may review in detail later next week.

**A response is demanded. Your prompt attention to this matter is very much appreciated.**

Best regards,



Alan Nix

cc.

Churchill Park Homeowners Association, Inc.  
c/o Gold Crown Management, Inc.  
1240 Winnowing Way, Suite 102,  
Mt. Pleasant, SC 29466

✓ Caper Barr  
Barr Under & McIntosh, LLC  
PO Box 1037  
Charleston, SC 29402

Todd Mucheff  
McCabe, Trotter & Beverly PC  
PO Box 212069  
Columbia, SC 29221

Stephanie Trotter  
McCabe, Trotter & Beverly PC  
PO Box 212069  
Columbia, SC 29221

Ryan McCabe  
McCabe, Trotter & Beverly PC  
PO Box 212069  
Columbia, SC 29221

Rick Riccoboni  
LPPM, Inc.  
1121 Park West Blvd.  
Suite B, #171  
Mount Pleasant, SC 29466



THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

NOV 21 2022

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

SC Court of Appeals

The Honorable Jocelyn Newman

Case No. 2020-CP-40-05255

Appellate Case No. 2022-01155

Norma J. Nix, et.al

Appellants,

v.

Churchill Park Homeowners' Association, Inc., et.al

Respondents,

**PROOF OF SERVICE**

The undersigned certifies that a copy of Appellant Alan Nix's Return to Defendants' Return opposing Appellant's Motion to Restore appeal was served upon the individuals listed below by mailing or hand delivering a copy of the same, postage prepaid, in the United States Mail, addressed as shown, this 21<sup>st</sup> day of November 2022 to:

Roger Wood  
Rogers, Townsend & Thomas

Andrew Countryman  
Countryman Law Firm

1221 Main St., Ste. 1400  
Columbia, SC 29201

210 Wingo Way, Unit 400  
Mount Pleasant, SC 29464

Judge McFaddin  
215 N. Harvin St.  
Sumter, SC 29150

McCabe, Trotter & Beverly  
4500 Fort Jackson Blvd.  
Columbia, SC 29209

"Churchill Park"  
c/o Lee Janssen  
1132 Willoughby Ln.  
Mt. Pleasant, SC 29466

Judge Newman  
1701 Main St.  
Columbia, SC 29201

Dated: November 21, 2022

Respectfully submitted,

By:



---

Alan G. Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466  
(843) 991.4170



No. 1401 Densmore Circle  
Mount Pleasant, SC 29466

**RECEIVED**

NOV 21 2022

SC Court of Appeals

COURT OF APPEALS

ATTN: CLERK OF COURT

21 Nov 2022