

- MTB Brief 11/05/21 Excerpts: "Statement of Issues on Appeal"

RECEIVED

Dec 21 2022

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
The Honorable Letitia H. Verdin

RECEIVED

Nov 05 2021

SC Court of Appeals

Appellate Case No. 2021-000511

Raymond A. Wedlake, as a Member of Woodington Homeowners' Association, Inc. and on behalf of all other similarly situated members of Woodington Homeowners' Association, Inc.,

Appellant,

v.

Board of Directors of Woodington Homeowners' Association, Inc., comprised of Mona Craigo, Edward Decker, and Sandra LaCroix; McCabe, Trotter, & Beverly, P.C.; and State Farm Fire and Casualty Company,

Respondents,

RESPONDENT MCCABE TROTTER & BEVERLY, PC'S FINAL BRIEF

November 5, 2021

/s Stephanie Trotter Kellahan

Stephanie Trotter Kellahan (SC Bar 77680)

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

**ATTORNEYS FOR RESPONDENT MCCABE
TROTTER AND BEVERLY, PC**

STATEMENT OF ISSUES ON APPEAL

- I. DID THE LOWER COURT CORRECTLY HOLD THAT APPELLANT'S CLAIM FOR "CASTING IN A FALSE LIGHT" WAS BARRED BY THE STATUTE OF LIMITATIONS?
- II. DID THE LOWER COURT CORRECTLY FIND APPELLANT WAS NOT PERMITTED TO BRING THE DERIVATIVE CLAIMS?
- III. DID THE LOWER COURT CORRECTLY HOLD THAT APPELLANT'S CLAIMS REGARDING THE INVOICING AND PAYMENT OF MCCABE TROTTER & BEVERLY, P.C.'S LEGAL FEES WERE BARRED BY COLLATERAL ESTOPPEL?
- IV. DID THE LOWER COURT CORRECTLY DISMISS APPELLANT'S CONSPIRACY CLAIM BECAUSE APPELLANT FAILED TO PLEAD SPECIAL DAMAGES?
- V. DOES SOUTH CAROLINA RECOGNIZE A CIVIL CAUSE OF ACTION FOR EXTORTION?
- VI. DOES S.C. CODE § 33-31-833 REQUIRE MCCABE TROTTER & BEVERLY, P.C. DISGORGE ATTORNEY'S FEES RECEIVED FROM WOODINGTON HOMEOWNERS' ASSOCIATION?