

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
Appellate Case No. 2020-000935

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge, Dorchester County
Maite Murphy, Circuit Court Judge, Dorchester County

Case No. 2018-CP-18-00729

Portfolio Recovery Associates, LLC Assignee of Synchrony Bank/HH Gregg
Respondent,

v.

Jennifer Campney, Defendant

and

Jennifer Campney, Third-party Plaintiff,

v.

Cooling & Winter, LLC, Third-party Defendant, of whom Jennifer Campney is the Appellant.

RESPONDENT’S CONSENT MOTION TO FILE AMENDED SIGNATURE PAGES TO
FILED FINAL BRIEF AND FILED RESPONSE TO AMICUS BRIEF

Pursuant to Rule 240(a), SCACR, Respondent Portfolio Recovery Associates, LLC Assignee of Synchrony Bank/HH Gregg (“Respondent”) respectfully requests leave to file amended signature pages to its (i) Final Brief of Respondent which was filed with this Court on March 26, 2021 (the “Final Brief”) and its (ii) Respondent Portfolio Recovery Associates, LLC Assignee of Synchrony Bank/HH Gregg’s Response to Brief of Amicus Curiae South Carolina Department of Consumer Affairs which was filed with this Court on August 25, 2021 (the

“Response to Amicus Brief”) to include, in both cases, a signature of one of Respondent’s attorneys which was unintentionally omitted from the filed Final Brief and the filed Response to Amicus Brief.¹ In support of the relief requested herein, Respondent shows unto this Court as follows:

Respondent is represented by J. Ronald Jones, Jr., Esq. (“Mr. Jones”), an attorney duly licensed to practice law in the State of South Carolina. Respondent is additionally represented by Caren D. Enloe, Esq. (“Ms. Enloe”), who was admitted to represent Respondent in this appeal *pro hac vice* by Order entered in this Court on August 28, 2020.

Both the Final Brief and the Response to Amicus Brief bear both Mr. Jones’ and Ms. Enloe’s name and related information. However, due to an inadvertent oversight, only the electronic signature of Ms. Enloe appears on the signature page of the Final Brief and the Response to Amicus Brief. Notwithstanding these inadvertent omissions, both Mr. Jones and Ms. Enloe fully reviewed and approved the contents of the Final Brief and the Response to Amicus Brief prior to filing them with this Court, as required by Rule 267(b), SCACR.

On or about April 6, 2023, counsel for Appellant Jennifer Campney informed the undersigned of the missing signature on Respondent’s filed Final Brief and its filed Response to Amicus Brief. On April 7, 2023, counsel for Appellant filed a Motion to Strike and in Limine with this Court, seeking, among other things, to strike both Respondent’s Final Brief and Respondent’s Response to Amicus Brief due to Mr. Jones’ missing signature on those submissions. Respondent

¹ In lieu of filing amended signature pages with the Court, and due to the fact that numerous hard copies of the relevant briefs for this matter have already been provided to the panel in advance of oral argument, Respondent respectfully requests that the Court review the amended signature pages attached hereto and enter an Order *deeming* the signature pages on the relevant Briefs to have been signed by both attorneys as of the date each was originally filed with this Court.

will respond substantively to Appellant's Motion to Strike and in Limine within the time allotted by Rule 240(e), SCACR.

Counsel for Appellant has been consulted regarding the relief requested herein, and consents to allowing Respondent to supplement both its Final Brief and its Response to Amicus Brief with fully-executed signature pages, copies of which are attached hereto as **EXHIBIT 1** and **EXHIBIT 2**, respectively. The email chain containing the consent of counsel for Appellant is attached hereto as **EXHIBIT 3** and incorporated herein by reference.

WHEREFORE, Respondent respectfully requests that the attached amended signature pages be accepted by this Court for filing as amended signature pages to Respondent's filed Final Brief and Respondent's filed Response to Amicus Brief, respectively, as if the attached signature pages had been filed with the corresponding Briefs when they were first filed with this Court.

Alternatively, and in order to prevent unnecessary cost and expense, Respondent respectfully requests entry of an Order accepting the attached amended signature pages as filed, and deeming the originally-filed signature pages for the Final Brief and Response to Amicus Brief to have been filed with the signatures of both Mr. Jones and Ms. Enloe.

Respectfully submitted,

April 10, 2023

/s/ Caren D. Enloe
Caren D. Enloe, Esquire
P.O. Box 176010
Raleigh, NC 27619
(919) 250-2000
Attorney for Respondent
Admitted Pro Hac Vice

/s/ J. Ronald Jones, Jr.
J. Ronald Jones, Jr., Esquire
171 Church Street, Suite 120C
Charleston, South Carolina 29401

(843) 714-2535
Attorney for Respondent

EXHIBIT 1

Proposed Amended Signature Page to Final Brief Filed on March 26, 2021

CONCLUSION

For the reasons set forth herein, this Court should affirm the judgment of the Trial Court granting judgment in favor of PRA on the claim set forth in the Complaint and dismissing Appellant's Counterclaims, and should further affirm the Trial Court's denial of Appellant's Rule 59 Motion.

March 26, 2021

Respectfully submitted,

/s/ Caren D. Enloe
Caren D. Enloe, Esquire
P.O. Box 176010
Raleigh, NC 27619
(919) 250-2000
Attorney for Respondent
Admitted Pro Hac Vice

/s/ J. Ronald Jones, Jr.
J. Ronald Jones, Jr., Esquire
171 Church Street, Suite 120C
Charleston, South Carolina 29401
(843) 714-2535
Attorney for Respondent

EXHIBIT 2

Proposed Amended Signature Page to Response to Amicus Brief Filed on August 26, 2021

CONCLUSION

For the reasons set forth herein, this Court should affirm the judgment of the trial court granting judgment in favor of PRA on the claim set forth in the Complaint and dismissing Appellant's Counterclaims.

August 25, 2021

Respectfully submitted,

/s/ Caren D. Enloe
Caren D. Enloe, Esquire
P.O. Box 176010
Raleigh, NC 27619
(919) 250-2000
Attorney for Respondent
Admitted Pro Hac Vice

/s/ J. Ronald Jones, Jr.
J. Ronald Jones, Jr., Esquire
171 Church Street, Suite 120C
Charleston, South Carolina 29401
(843) 714-2535
Attorney for Respondent

EXHIBIT 3

**Email Correspondence from Counsel for Appellant Consenting to Amendment to Signature
Pages of Filed Briefs**

From: John Cantrell <johncantrelljr@gmail.com>
Sent: Monday, April 10, 2023 7:39 AM
To: Caren Enloe
Cc: J. Ronald Jones, Jr.
Subject: Re: FW: Portfolio Recovery v. Jennifer Campney 2020-000935

This message is from an **External Source**.

Caren:

I will consent to an amendment allowing your filed briefs to be properly signed.

Sincerely,
John R. Cantrell, Jr.
Cantrell Legal, PC
108 Phillips Ct.
St. Matthews, SC 29135-8582
843-797-2454 voice/fax
Dist. SC (4th Cir)
johncantrelljr@gmail.com
www.defenderofdebt.com

On Fri, Apr 7, 2023 at 12:57 PM Caren Enloe <cenloe@smithdebnamlaw.com> wrote:

John,

As I indicated last night in my email I needed an opportunity to review the issues you raised with Ron and asked that you give us until Monday.

Ron and I were able to exchange emails today regarding the signature issue and we appreciate you bringing it to our attention. We'd request your consent to an amendment that would include a new signature page. Please let us know if you consent on or before Monday April 10th or whether we will need to move the Court for leave to allow the amendment.

Caren Enloe

Partner

Smith Debnam Narron Drake Saintsing & Myers, LLP

4601 Six Forks Road, Suite 400

Raleigh, NC 27609

P: (919) 250-2125 | Email: cenloe@smithdebnamlaw.com

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From: John Cantrell <johncantrelljr@gmail.com>

Sent: Friday, April 7, 2023 12:35 PM

To: Court Of Appeals Filings <ctappfilings@sccourts.org>

Cc: J. Ronald Jones, Jr. <RJones@smithdebnamlaw.com>; Caren Enloe <cenloe@smithdebnamlaw.com>; clybarker@scconsumer.gov; krainsford@scconsumer.gov; Crystal Patrick <CPatrick@smithdebnamlaw.com>; ddinkins@scconsumer.gov

Subject: Re: Portfolio Recovery v. Jennifer Campney 2020-000935

This message is from an **External Source**.

Attached please find Appellant's Motion to Strike and In Limine for filing with the court, along with a cover letter.

Sincerely,

John R. Cantrell, Jr.

Cantrell Legal, PC

108 Phillips Ct.

St. Matthews, SC 29135-8582

843-797-2454 voice/fax

Dist. SC (4th Cir)

johncantrelljr@gmail.com

www.defenderofdebt.com

On Tue, Apr 4, 2023 at 3:46 PM Court Of Appeals Filings <ctappfilings@sccourts.org> wrote:

Dear Counsel:

The Court has received your filing. A stamped copy is attached for your records.

Thank you.

From: John Cantrell <johncantrelljr@gmail.com>

Sent: Tuesday, April 4, 2023 3:38 PM

To: Court Of Appeals Filings <ctappfilings@sccourts.org>

Cc: rjones@smithdebnamlaw.com; cenloe@smithdebnamlaw.com; clybarker@sconsumer.gov; krainsford@sconsumer.gov; cpatrick@smithdebnamlaw.com; ddinkins@sconsumer.gov

Subject: Re: Portfolio Recovery v. Jennifer Campney 2020-000935

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Attached please find a copy of the signed acknowledgement form, which is also being mailed to the court today.

Sincerely,
John R. Cantrell, Jr.
Cantrell Legal, PC
108 Phillips Ct.

St. Matthews, SC 29135-8582

843-797-2454 voice/fax
Dist. SC (4th Cir)

johncantrelljr@gmail.com

www.defenderofdebt.com

On Mon, Apr 3, 2023 at 4:31 PM Staley, Denesha <dstaley@sccourts.org> wrote:

Good afternoon,

Attached please find correspondence from the South Carolina Court of Appeals. **Please do not respond to this email.** Send all correspondence to ctappfilings@sccourts.org. Any parties not included in this email will receive the attached correspondence via US Mail.

Denesha M. Staley

Appeals Specialist

SC Court of Appeals

1220 Senate Street

Columbia, SC 29201

(803)-734-1079

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RECEIVED

Apr 10 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

Appellate Case No. 2020-00935

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge, Dorchester County  
Maite Murphy, Circuit Court Judge, Dorchester County

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Case No. 2018-CP-18-00729

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Respondent,

v.

Jennifer Campney, Defendant

and

Jennifer Campney, Third-party Plaintiff,

v.

Cooling & Winter, LLC, Third-party Defendant, of whom Jennifer Campney is the Appellant.

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CERTIFICATE OF SERVICE

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I certify that I have on this day served a copy of the foregoing **RESPONDENT'S CONSENT MOTION TO FILE AMENDED SIGNATURE PAGES TO FILED FINAL BRIEF AND FILED RESPONSE TO AMICUS BRIEF** upon all parties to this action by email at the following addresses:

John R. Cantrell, Jr.  
CANTRELL LEGAL, PC  
johncantrelljr@gmail.com  
*Attorney for Appellant*

Joseph E. Brown  
S. Louis Schiappa  
COOLING & WINTER, LLC  
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*Attorneys for Cooling & Winter, LLC*

Carolyn Grube Lybarker  
Kelly H. Rainsford  
CLybarker@scconsumer.gov  
KRainsford@scconsumer.gov  
*Attorneys for South Carolina Department of Consumer Affairs*

Dated this, the 10th day of April, 2023.

/s/ Kendl Ernst

Kendl Ernst, paralegal for

J. Ronald Jones, Jr. (SC Bar # 5874)

Smith Debnam Narron Drake Saintsing & Myers,  
LLP

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Telephone: (843) 714-2535

Email: Rjones@smithdebnamlaw.com

*Counsel for Respondent*