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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
In the Court of Common Pleas for the Ninth Judicial Circuit

RECEIVED

MAY 15 2023

The Honorable Mikell R. Scarborough, Master-in-Equity

SC Court of Appeals

Case No. 2019-CP-10-03390

Dustin Grotzke, Christine Grotzke, Leo Cornejo, Steve Falciani, Nancy Falciani, Robert St. Louis, Lindsay Layton, Roger Woolf, Roberta Woolf, Nancy Zaj, Meg White, Joey Winchester, Kelly Hill, Mary Thaler, Ed Thaler, Lisa Essig, Brianna Stello, Jennifer Sellars, and Dominique Powell..... Plaintiffs/Respondents

vs.

Mariner's Cay Racquet & Yacht Club Homeowners' Association, Inc.,..... Defendant/Appellant

NOTICE OF APPEAL

Defendant/Appellant Mariner's Cay Racquet & Yacht Club Homeowners' Association, Inc., hereby appeals from: (a) the Order ruling upon the parties' motions (including motions for summary judgment and to amend the Complaint), which the Honorable Mikell R. Scarborough, Master-in-Equity signed and filed on March 29, 2023 (attached hereto as Exhibit A); and (b) the Form 4 Order denying Defendant's Motion to Alter or Amend March 29, 2023 Order, which the Honorable Mikell R. Scarborough, Master-in-Equity signed and filed on April 17, 2023 (attached hereto as Exhibit B).

Defendant/Appellant Mariner's Cay Racquet & Yacht Club Homeowners' Association, Inc. received written notice of entry of the Order denying its Motion to Alter or Amend March 29, 2023 Order (Exhibit B) on April 17, 2023.

May 10, 2023

BARNWELL WHALEY PATTERSON &  
HELMS, LLC

By: 

John W. Fletcher (SC Bar No.: 69550)  
211 King Street, Suite 300  
Charleston, SC 29401  
Phone: (843) 577-7700

- and -

PARKER POE ADAMS & BERNSTEIN, LLC  
Robert H. Jordan, Esq.  
850 Morrison Drive  
Suite 400, Charleston, SC 29403  
Phone: (843) 727-2650

*Attorneys for Defendant/Appellant Mariner's  
Cay Racquet & Yacht Club Homeowners'  
Association, Inc.*

**Other Counsel of Record:**

Sean A. O'Connor, Esq. (S.C. Bar No. 68382)  
FINKEL LAW FIRM LLC  
4000 Faber Place Drive, Suite 450  
North Charleston, SC 29405  
Phone: (843)577-5460  
*Attorneys for Respondents*

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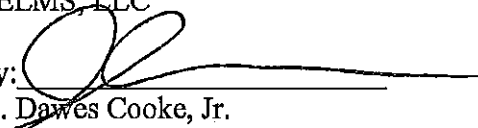
PROOF OF SERVICE OF NOTICE OF APPEAL

[Continued on Following Page]

I certify that I have served the Notice of Appeal on the above-referenced Respondents by email and by depositing a copy of it in the United States Mail, postage prepaid, on May 10, 2023, addressed to their attorneys of record:

Sean A. O'Connor, Esq. (S.C. Bar No. 68382)  
Finkel Law Firm LLC  
4000 Faber Place Drive, Suite 450  
North Charleston, SC 29405  
Phone: (843)577-5460  
*Attorneys for Respondents*

BARNWELL WHALEY PATTERSON &  
HELMS, LLC

By:   
M. Dawes Cooke, Jr.  
John W. Fletcher  
211 King Street, Suite 300  
Charleston, SC 29401  
Phone: (843) 577-7700

- and -

PARKER POE ADAMS & BERNSTEIN, LLC  
Robert H. Jordan, Esq.  
850 Morrison Drive  
Suite 400, Charleston, SC 29403  
Phone: (843) 727-2650  
*Attorneys for Defendant/Appellant Mariner's  
Cay Racquet & Yacht Club Homeowners'  
Association, Inc.*



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# BARNWELL WHALEY

ATTORNEYS AT LAW

JOHN W. FLETCHER

SPECIAL COUNSEL

JFLETCHER@BARNWELL-WHALEY.COM

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SC Court of Appeals

May 11, 2023

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VIA USPS:

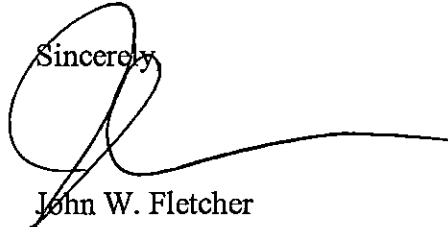
Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
1220 Senate St.  
Columbia, SC 29201

RE: *Mariner's Cay Racquet & Yacht Club Homeowners' Association, Inc.*  
Case No. 2019-CP-10-03390

Dear Madame Clerk,

Enclosed, please find a Notice of Appeal on behalf of Appellant, Mariner's Cay Racquet & Yacht Club Homeowners' Association, Inc., and a Proof of Service for the same. A check in the amount of \$250.00 for the court's filing fee accompanies this correspondence.

Sincerely



John W. Fletcher

/dlm

Encl.

Cc via USPS: (*w/enclosures*)

Robert H. Jordan, Esq.  
Sean A. O'Connor, Esq.

{01257404.DOCX.1}

BARNWELL WHALEY PATTERSON & HELMS LLC

211 KING STREET, SUITE 300  
CHARLESTON, SC 29401

P: 843-577-7700 F: 843-577-7708

201 NORTH FRONT STREET, SUITE 1003  
WILMINGTON, NC 28401

P: 910-679-1388 F: 910-679-4663

BARNWELL-WHALEY.COM

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ATTORNEYS AT LAW  
PO DRAWER M CHARLESTON, SC 29402

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Jenny Abbott Kitchings  
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