

From: klsimons@simonsanddean.com
To: [Transcripts](#)
Cc: Court Of Appeals Filings; natalieawilliams726@gmail.com; Brenda Casey; 'Shoun, Cheryl D.'; dblack@nexsenpruet.com; 'Scott Talley'; sparith@nexsenpruet.com; kindovino@nexsenpruet.com; 'Hannah Hinson'
Subject: SLF III - Hardeeville, LLC v. RSV - Hardeeville, LLC, Appellate Case No. 2023 - 000277
Date: Thursday, May 25, 2023 11:51:24 AM
Attachments: [image002.png](#)
[image007.png](#)

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

Dear Court Administration:

I am in receipt of correspondence from the Court of Appeals dated May 18, 2023, requesting a status update regarding transcripts ordered in this matter.

On May 18, 2023, we received an email from Natalie Williams indicating that she had no record of a hearing on the date we specified for a transcript. She suggested that we confirm the date through Judge Young's law clerk. Court Administration was copied on this email.

Below is an email from the law clerk setting the hearing for the date we specified. The hearing did go forward. Perhaps the confusion is due to the fact that the hearing was conducted within the purview of the Business Court.

By copy of this to Ms. Williams, I request that she take another look.

I spoke with the clerk's office at the Court of Appeals this morning. It is my understanding that this email is a sufficient response to the May 18 letter from the Court.

Thank you.

Keating L. Simons, III

SIMONS & DEAN
ATTORNEYS AT LAW

147 WAPPOO CREEK DRIVE, SUITE 604
CHARLESTON, SC 29412

TEL: 843.762.9132
FAX: 843.406.9913
CELL: 843.709.4447



Please be advised that this e-mail and any files transmitted with it are confidential attorney-client communications or may otherwise be privileged or confidential and are intended solely for the individual or entity to whom they are addressed. If you are not the intended recipient, please do not read, copy or retransmit this communication but destroy it immediately. Any unauthorized dissemination, distribution or copying of this communication is strictly prohibited.

From: Young, Roger Law Clerk (Michael Monastra) <ryounglc@sccourts.org>
Sent: Thursday, April 15, 2021 2:43 PM
To: Keating L. Simons, III <klsimons@simonsanddean.com>; 'Shoun, Cheryl D.' <CShoun@nexsenpruet.com>; Business Court <businesscourt@sccourts.org>
Cc: Bostick, Margaret <mbostick@jaspercourtsc.gov>; 'Black, David' <DBlack@nexsenpruet.com>; dfdean charlestonattorneys.net <dfdean@charlestonattorneys.net>; 'Scott Talley' <Scott@talleylawfirm.com>; Holt, Michael Law Clerk (James C. Hancock) <emholtlc@sccourts.org>; Holt, Michael Secretary (Celeste Braddock) <[m Holtsc@sccourts.org](mailto:mholtsc@sccourts.org)>
Subject: RE: 2020CP2700495 : SIF Iii - Hardeeville, LLC VS Rsv - Hardeeville, LLC

Good Afternoon,

The videoconference hearing in the above referenced matter is scheduled for Monday, April 19, 2021 at 10:30 am via WebEx Events virtual courtroom. Click the link listed below to access the hearing. You will be prompted to enter your first name, last name and email address. Once the information is entered, the microphone will be muted and you will enter the videoconference. If you would like to appear on screen and/or participate, click the Participants icon at the bottom of your screen. Then click the hand icon at the bottom right to "Raise" or "Lower" your hand. This will notify the court you wish to appear on screen. The courtroom will be open thirty minutes before the hearing. If you have questions and/or issues accessing the virtual courtroom please contact Cisco WebEx support: 1-866-229-3239.

Call in number for audio only United States Toll **+1-408-418-9388**

Call in Access code: **129 724 3394 #**

Call in Attendee ID number is issued when you **JOIN**

You can test your Webex connection here anytime: **TEST YOUR WEBEX**

SCJB Virtual Court User Guides: Attorney Guide and General Public Guide

The link may be found on the court's website <https://sccourts.org/calendar/>.

Michael A. Monastra
Law Clerk to The Honorable Roger M. Young, Sr.
100 Broad Street
Charleston, South Carolina 29401
Office: (843) 958-2015
Email: RYounglc@sccourts.org

From: Young, Roger Law Clerk (Michael Monastra)
Sent: Thursday, April 8, 2021 10:46 AM
To: 'Keating L. Simons, III' <klsimons@simonsanddean.com>; 'Shoun, Cheryl D.' <CShoun@nexsenpruet.com>; Business Court <businesscourt@sccourts.org>
Cc: Bostick, Margaret <mbostick@jaspercourtsc.gov>; 'Black, David' <DBlack@nexsenpruet.com>; dfdean@charlestonattorneys.net; 'Scott Talley' <Scott@talleylawfirm.com>
Subject: RE: 2020CP2700495 : SIF Iii - Hardeeville, LLC VS Rsv - Hardeeville, LLC

Thank you, Mr. Simons.

Michael A. Monastra
Law Clerk to The Honorable Roger M. Young, Sr.
100 Broad Street
Charleston, South Carolina 29401
Office: (843) 958-2015
Email: RYounglc@sccourts.org

From: Keating L. Simons, III <klsimons@simonsanddean.com>
Sent: Thursday, April 8, 2021 10:39 AM
To: Young, Roger Law Clerk (Michael Monastra) <ryounglc@sccourts.org>; 'Shoun, Cheryl D.' <CShoun@nexsenpruet.com>; Business Court <businesscourt@sccourts.org>
Cc: Bostick, Margaret <mbostick@jaspercourtsc.gov>; 'Black, David' <DBlack@nexsenpruet.com>; dfdean@charlestonattorneys.net; 'Scott Talley' <Scott@talleylawfirm.com>
Subject: RE: 2020CP2700495 : SIF Iii - Hardeeville, LLC VS Rsv - Hardeeville, LLC

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

Mr. Monastra:

In order that the court might have a more complete understanding of the issues involved, attached is an affidavit from the Planning Director for the City of Hardeeville with attached exhibits, filed with the court on 1/25/21. As explained by the Planning Director, this lawsuit directly implicates the City's interests in planning and zoning. That is one of the reasons Defendant opposes the proposed transfer to Business Court.

Thank you,



Keating L. Simons, III

SIMONS & DEAN
ATTORNEYS AT LAW

147 WAPPOO CREEK DRIVE, SUITE 604
CHARLESTON, SC 29412

TEL: 843.762.9132
FAX: 843.406.9913
CELL: 843.709.4447



Please be advised that this e-mail and any files transmitted with it are confidential attorney-client communications or may otherwise be privileged or confidential and are intended solely for the individual or entity to whom they are addressed. If you are not the intended recipient, please do not read, copy or retransmit this communication but destroy it immediately. Any unauthorized dissemination, distribution or copying of this communication is strictly prohibited.

From: Young, Roger Law Clerk (Michael Monastra) [mailto:ryoungl@sccourts.org]
Sent: Thursday, April 8, 2021 9:18 AM
To: Shoun, Cheryl D.; Keating L. Simons, III; Business Court
Cc: Bostick, Margaret; Black, David; dfdean@charlestonattorneys.net; Scott Talley
Subject: RE: 2020CP2700495 : SIF III - Hardeeville, LLC VS Rsv - Hardeeville, LLC

Thank you, Ms. Shoun.

Michael A. Monastra
Law Clerk to The Honorable Roger M. Young, Sr.
100 Broad Street
Charleston, South Carolina 29401
Office: (843) 958-2015
Email: RYoungl@sccourts.org

From: Shoun, Cheryl D. <CShoun@nexsenpruet.com>
Sent: Thursday, April 8, 2021 9:02 AM
To: Keating L. Simons, III <klsimons@simonsanddean.com>; Young, Roger Law Clerk (Michael Monastra) <ryoungl@sccourts.org>; Business Court <businesscourt@sccourts.org>
Cc: Bostick, Margaret <mbostick@jaspercountysc.gov>; Black, David <DBlack@nexsenpruet.com>; dfdean@charlestonattorneys.net; Scott Talley <Scott@talleylawfirm.com>
Subject: RE: 2020CP2700495 : SIF III - Hardeeville, LLC VS Rsv - Hardeeville, LLC [WVOV-NPCHAR1.FID1158761]

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

Mr. Monastra: Understanding that Judge Young's chambers does not have the Complaint and Answer in the subject case readily available, as the matter is pending in Jasper County, I have taken the liberty of attaching those pleadings for the Court's information.

I am happy to provide any additional information, should the Court require.

Respectfully,
Cheryl

Cheryl D. Shoun
Nexsen Pruet, LLC
205 King Street, Suite 400
Charleston, SC 29401
PO Box 486 (29402)
T: 843.720.1762. F: 843.414.8238
CShoun@nexsenpruet.com
www.nexsenpruet.com



From: Keating L. Simons, III <klsimons@simonsanddean.com>
Sent: Thursday, April 8, 2021 8:26 AM
To: 'Young, Roger Law Clerk (Michael Monastra)' <ryoungl@sccourts.org>; 'Business Court' <businesscourt@sccourts.org>; Parish, Ruthie R. <RParish@nexsenpruet.com>
Cc: 'Bostick, Margaret' <mbostick@jaspercountysc.gov>; Shoun, Cheryl D. <CShoun@nexsenpruet.com>; Black, David <DBlack@nexsenpruet.com>; dfdean@charlestonattorneys.net
Subject: RE: 2020CP2700495 : SIF III - Hardeeville, LLC VS Rsv - Hardeeville, LLC

{EXTERNAL EMAIL}

Mr. Monastra:

I will be in attendance.

Thank you.

Keating L. Simons, III

SIMONS & DEAN
ATTORNEYS AT LAW

147 WAPPOO CREEK DRIVE, SUITE 604
CHARLESTON, SC 29412

TEL: 843.762.9132
FAX: 843.406.9913
CELL: 843.709.4447



Please be advised that this e-mail and any files transmitted with it are confidential attorney-client communications or may otherwise be privileged or confidential and are intended solely for the individual or entity to whom they are addressed. If you are not the intended recipient, please do not read, copy or retransmit this communication but destroy it immediately. Any unauthorized dissemination, distribution or copying of this communication is strictly prohibited.

From: Young, Roger Law Clerk (Michael Monastra) [<mailto:ryounglc@sccourts.org>]
Sent: Wednesday, April 7, 2021 3:17 PM
To: Business Court; Keating L. Simons, III; 'Parish, Ruthie R.'
Cc: Bostick, Margaret; cshoun@nexsenpruet.com; dblack@nexsenpruet.com; dfdean@charlestonattorneys.net
Subject: 2020CP2700495 : SIF III - Hardeeville, LLC VS Rsv - Hardeeville, LLC

Good Afternoon,

Judge Young would like to have a videoconference to discuss why the proposed transfer to Business Court is opposed. Judge Young is available via WebEx Monday, April 19, 2021 at 10:30 am. Does that work for all parties?

Michael A. Monastra
Law Clerk to The Honorable Roger M. Young, Sr.
100 Broad Street
Charleston, South Carolina 29401
Office: (843) 958-2015
Email: RYounglc@sccourts.org

From: Keating L. Simons, III <klsimons@simonsanddean.com>
Sent: Friday, April 2, 2021 9:20 AM
To: Business Court <businesscourt@sccourts.org>; 'Parish, Ruthie R.' <RParish@nexsenpruet.com>
Cc: Bostick, Margaret <mbostick@jasperscountysc.gov>; cshoun@nexsenpruet.com; dblack@nexsenpruet.com; dfdean@charlestonattorneys.net
Subject: RE: 2020CP2700495 : SIF III - Hardeeville, Llc VS Rsv - Hardeeville, Llc

Mr. Monastra:

I represent the defendant in this matter. My client did not agree to the proposed transfer to the Business Court when asked about it several months ago. I have not yet seen the motion. It is not yet available on the court's website and plaintiff's counsel has not provided me with a copy. I note also that Ms. Parish did not copy me when she sent you a copy of the motion yesterday.

I will appreciate the opportunity to be heard on the matter prior to a decision being reached.

Thank you,

Keating L. Simons, III

SIMONS & DEAN
ATTORNEYS AT LAW

147 WAPPOO CREEK DRIVE, SUITE 604
CHARLESTON, SC 29412

TEL: 843.762.9132
FAX: 843.406.9913
CELL: 843.709.4447



Please be advised that this e-mail and any files transmitted with it are confidential attorney-client communications or may otherwise be privileged or confidential and are intended solely for the individual or entity to whom they are addressed. If you are not the intended recipient, please do not read, copy or retransmit this communication but destroy it immediately. Any unauthorized dissemination, distribution or copying of this communication is strictly prohibited.

From: Business Court [<mailto:businesscourt@sccourts.org>]
Sent: Friday, April 2, 2021 9:09 AM
To: Parish, Ruthie R.; Business Court
Cc: Bostick, Margaret; cshoun@nexsenpruet.com; dblack@nexsenpruet.com; klsimons@simonsanddean.com; dfdean@charlestonattorneys.net
Subject: 2020CP2700495 : SIF III - Hardeeville, Llc VS Rsv - Hardeeville, Llc

Thank you, Ms. Parish.

Michael A. Monastra
Law Clerk to The Honorable Roger M. Young, Sr.
100 Broad Street
Charleston, South Carolina 29401
Office: (843) 958-2015
Email: RYounge@sccourts.org

From: Parish, Ruthie R. <RParish@nexsenpruet.com>

Sent: Thursday, April 1, 2021 3:41 PM

To: Business Court <businesscourt@sccourts.org>

Subject: Motion for Case Assignment to the Business Court Program Case No.: 2020-CP-27-00495

Please find enclosed a Motion for Case Assignment to the Business Court Program filed in the Jasper County online filing. If you have any questions or comments, please do not hesitate to contact me.

Ruthie Parish
Legal Assistant to Cheryl Shoun, Angelica Colwell
205 King St, Suite 400
Charleston, SC 29402
Post Office Box 486 (29402)
T: 843.720.1722. F: 843.720.1777
RParish@nexsenpruet.com

www.nexsenpruet.com

NEXSEN | PRUET

Home

Practice Areas

Attorneys

Offices

*** FIRM CONFIDENTIAL COMMUNICATION *** This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments. If you reply to this message, Nexsen Pruet, LLC may collect personal information including your name, business name and other contact details, and IP address. If you have any questions, please contact Privacy@nexsenpruet.com.

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.