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Jun 07 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity and Special Circuit Court Judge for Beaufort County

Case No. 2022-CP-07-02454

Blue Bell Holdings, LLC..... Appellant

v.

Gary C. Johnson; Stephen D. Halpern; Holly A. Angel; Holly Ann LLC;  
Belmont Properties, LLC; Johnson Halpern Partnership; Shoreline Funding  
LLC and Orange Capital, LLC,..... Respondents

**NOTICE OF APPEAL**

Blue Bell Holdings, LLC appeals the Amended Order denying the motion to stay and additionally, denying the conversion of the TRO to an injunction. Appellant received written notice of the Order on June 7, 2023. A copy of the order is attached as **Exhibit A**.

The underlying Order is presently on appeal in appellate case number 2023-000411. This Court remanded the matter for the sole purpose of the circuit court’s ruling on a motion for reconsideration. The circuit court has ruled on this motion, and its Amended Order is the subject of the present notice of appeal.

**SOWELL & DuRANT, LLC**

s/Bess J. DuRant

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June 7, 2023

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*Attorney for Respondents Holly Angel, Holly Ann LLC, Stephen Halpern, and Belmont Properties LLC*

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Belmont Properties, LLC; Johnson Halpern Partnership; Shoreline Funding,  
LLC and Orange Capital, LLC,..... Respondents

**PROOF OF SERVICE**

I certify that on June 7, 2023 I have caused the service of the NOTICE OF APPEAL on Respondents by and through their attorneys of record by electronic mail using their email address listed in the Attorney Information System.

Elizabeth J. Palmer, Esquire  
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*Attorney for Respondents Holly Angel, Holly Ann LLC,  
Stephen Halpern and Belmont Properties LLC*

I certify that on June 7, 2023, I have caused the service of the NOTICE OF APPEAL on Respondents, Johnson Halpern Partnership and Orange Capital, LLC by depositing a copy of the same in the United States Mail, postage prepaid to their addresses as listed below:

The Johnson Halpern Partnership  
130 Wicklow Drive  
Bluffton, SC 29910  
Respondent

Orange Capital, LLC  
P.O. Box 7841  
Hilton Head, SC 29938  
Respondent

**SOWELL & DuRANT, LLC**

s/Bess J. DuRant

---

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***Attorneys for Appellant Blue Bell Holdings, LLC***

Jun 07 2023

SC Court of Appeals

June 7, 2023

**VIA EMAIL:** [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Re: Blue Bell Holdings, LLC v. Gary C. Johnson; Stephen D. Halpern; Holly A. Angel; Holly Ann LLC; Belmont Properties, LLC; Johnson Halpern Partnership; Shoreline Funding, LLC and Orange Capital, LLC  
Appellate Case No. 2023-000411

Dear Ms. Kitchings:

First, enclosed for filing please find Appellant's Notice of Appeal, along with its Proof of Service, with respect to the circuit court's amended order dated June 7, 2023 ("Amended Order").

Second, pursuant to the Court of Appeals' Order, dated May 16, 2023 ("Court of Appeals' Order"), I am writing to the Court to give it an update. Pursuant to the Court of Appeals' Order, the Court remanded this matter for the sole purpose of having the circuit court rule on the motion for reconsideration of the order, dated March 10, 2023 ("Initial Order"). The Initial Order is currently on appeal under appellate case number 2023-000411.

As you can see in today's Notice of Appeal, the circuit court ruled on the motion for consideration in its Amended Order. This Amended Order is the subject of the present Notice of Appeal. We intend on filing a motion to consolidate the appeals of (1) the Initial Order and (2) the Amended Order for judicial efficiency and economy.

Please allow this letter to serve as confirmation that the circuit court has resolved the matter as discussed in the Court of Appeals' Order.

We will forward the \$250 filing fee under separate cover.

Please let me know if you have any questions. Thank you for your assistance.

Very truly yours,



Bess J. DuRant

BESS J. DURANT

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cc: Elizabeth Janelle Palmer, Esquire  
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