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SC Court of Appeals

ELECTRONICALLY FILED - 2023 Jun 12 4:13 PM - BEAUFORT - COMMON PLEAS - CASE#2022CP0702454

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

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)
Blue Bell Holdings, LLC,)
Plaintiff(s),)
vs.)
Gary C. Johnson, et al.,)
Defendant(s).)
_____)

IN THE COURT OF COMMON PLEAS
CASE NO: 2022-CP-07-02454

AMENDED ORDER

**FOLLOWING A RECONSIDERATION HEARING ON June 1st, 2023, I HEREBY
SUBSTITUTE THE PRIOR ORDER WITH THIS AMENDED ORDER**

This case before me on the continuation of the TRO hearing and on Plaintiff’s Motion to Stay Potential Decision Lifting Injunctive Relief that was filed on March 2nd, 2023. After hearing from parties, I hereby deny the Motion to Stay and, additionally deny the conversion of the TRO to an injunction.

Specifically, I find that the Plaintiff did not show a lack of an adequate remedy at law or irreparable harm. This Order is without prejudice and is issued with leave to refile upon changed circumstances.

The TRO is dissolved.

IT IS SO ORDERED:

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

June _____, 2023
Beaufort, South Carolina



Beaufort Common Pleas

Case Caption: Blue Bell Holdings Llc VS Gary C Johnson , defendant, et al

Case Number: 2022CP0702454

Type: Order/Amend

So Ordered:

s/Marvin H. Dukes III #3069

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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.

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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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