

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas
The Honorable Ellis B. Drew, Jr., Master-in-Equity

Case No.: 2007-CP-04-2785

Moorhead Construction, Inc. Respondent,

v.

Pendleton Station, LLC, Enterprise Bank of South Carolina,
and Angelo Penza Defendants,

Of whom Enterprise Bank of South Carolina is the Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that a true copy of the Appellant's Final Brief in the above-referenced case has been served on all parties of record by mailing a copy of same in the United States mail, postage prepaid this 20th day of June, 2013, addressed as follows:

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SC Court of Appeals

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June 20, 2013

Hon. Jenny Abbott Kitchings
Clerk of Court of Appeals
1205 Pendleton Street
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**Re: Moorhead Construction, Inc. vs. Pendleton Station, LLC, et al.
Of Whom Enterprise Bank of South Carolina is the Appellant
Appeal from Anderson County Case No.: 2007-CP-04-2785
Appellate Case No.: 2012-213225**

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To Whom It May Concern:

Please find enclosed the original and fourteen (14) copies of Appellant's Final Brief with Proof of Service in the above referenced matter. By copy of this letter, we are serving one copy upon all counsel of record.

Please note that the following changes were made to the Final Brief:

1. Pg. iii – Geddes v. Bowden reference was added to Table of Authorities; it was inadvertently left off in the Initial Brief;
2. Pg. v – S.C. Code Ann. § 29-5-110 was added to Table of Authorities; it was inadvertently left off in the Initial Brief;
3. Pg. 13 - Footnote #6 was moved and last sentence added for clarification;
4. Pg. 13 - Reference to Bank Lawsuit, pp. 16-17; 18-19 was incorrect in the Initial Brief – the page numbers should have been 10-11; 12-13. The reference in the Final Brief reflects this change;
5. Pg. 18 – Typographical error corrected from “25-9-120” to “29-5-120”;
6. Pg. 25 “Plaintiff Ex. 1, tab 20” was referenced and should have been “Defendant Ex. 1, tab 20”. Final Brief reference reflects this change;
7. Pg. 40 – cite to “Bank Lawsuit” was added for clarification (R. pp. 148-149);
8. Pg. 41 – cite to “Trial Transcript 12/8/11, Def. Ex. 1, tab 9” was added for clarification (R. p. 665);
9. Pg. 47 – spelling error corrected for “amendments”; and
10. Pg. 55 & 56 – cites to “Transcript from 1/24/12 Hearing” were added for clarification (R. pp. 553-583)

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June 20, 2013

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Thank you for your assistance in this matter and please do not hesitate to contact our office if you have any questions.

Very truly yours,

KENISON, DUDLEY & CRAWFORD, LLC

A handwritten signature in cursive script that reads "Laurie Warren".

Laurie Warren

Legal Assistant

Enclosures

cc: David J. Brousseau
James W. Logan, Jr.
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