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LICENSED IN SOUTH CAROLINA



October 18, 2023

**VIA ELECTRONIC SUBMISSION**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, S.C. 29211

**RECEIVED**  
**Oct 18 2023**  
**SC Court of Appeals**

**Re: Charleston SC Property Holdings, LLC, and Hanahan SC Property Holdings, LLC, *Respondents* v. Rittenberg OP, LLC, Hanahan OP, LLC, Goldner Capital Management, LLC, SC Two OP Holdings, LLC, and Samuel Goldner, *Appellants***

**Appellate Case No. 2023-001494**

Dear Ms. Kitchings,

My law firm represents Michael F. Flanagan in his capacity as the court appointed receiver (the "Receiver") in the above-captioned case involving appeals of orders entered in the Court of Common Pleas for Charleston County (the "Lower Court") in Case No. 2023-CP-10-01512. The Receiver is in receipt of this Court's September 26, 2023 letter (the "Letter") in which the Court advises parties how the case should be captioned in all future records in this matter.

Pursuant to the Notice of Appeal that the above-referenced Appellants filed on September 19, 2023, the Appellants are appealing, among other things, the Lower Court's August 23, 2023 order granting relief that the Receiver requested.

Consequently, the Receiver believes that he is a party in interest and also a "respondent" for purposes of this appeal. I wanted to call this issue to the Court's attention because the Letter only identifies Charleston SC Property Holdings, LLC and Hanahan SC Property Holdings, LLC (*i.e.*, the Plaintiffs in the underlying action) as "respondents" for purposes of the case caption.

The Receiver assumes that the Court will permit him to appear and file pleadings in connection with this appeal as a "respondent" notwithstanding the title of the case as set forth in the Letter which does not identify him in that capacity. If the above assumption is not correct or if the Court desires for the Receiver, as an additional "respondent", to caption the case in any of his filings other than as set forth in the Letter, please let me know at your earliest convenience.

Sincerely,

*Michael H. Weaver*

Michael H. Weaver

cc: Christopher Todd Brumback, Esq. (via e-mail) ([chris@brumbacklangley.com](mailto:chris@brumbacklangley.com))  
Charles P. Summerall, IV, Esq. (via e-mail) ([summerall@wglfirm.com](mailto:summerall@wglfirm.com))  
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**Oct 18 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable George M. McFaddin, Jr., Circuit Court Judge  
The Honorable Roger M. Young, Sr., Circuit Court Judge

Case No. 2023-CP-10-01512  
Appellate Case No. 2023-001494

Charleston SC Property Holdings, LLC and  
Hanahan SC Property Holdings, LLC .....Respondents,

v.

Rittenberg OP, LLC, Hanahan OP, LLC, Goldner Capital Management, LLC, SC Two  
OP Holdings, LLC, and Samuel Goldner .....Appellants.

**PROOF OF SERVICE**

I certify that I served a letter dated October 18, 2023 written by Michael H. Weaver on behalf of the Receiver and addressed to the Clerk of Court for the Court of Appeals by email addressed to counsel of record for the above-referenced parties using the following email addresses from the Attorney Information System (“AIS”) on October 18, 2023:

Christopher Todd Brumback, Esq.  
Brumback & Langley, LLC  
[chris@brumbacklangley.com](mailto:chris@brumbacklangley.com)

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A copy of the email sent to the above-referenced counsel is attached.

ROGERS TOWNSEND LLC

*s/ Michael H. Weaver*  
Michael H. Weaver, Esq. (SC Bar # 72350)  
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Columbia, S.C. 29202  
(803) 744-1857  
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## Michael H. Weaver

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**From:** Michael H. Weaver  
**Sent:** Wednesday, October 18, 2023 10:12 AM  
**To:** Chris Brumback; 'Charles Summerall'; James W. Clement; Noah Siegel; Aharon Kaye; Ross Durant  
**Subject:** Charleston SC Property Holdings, LLC v. Rittenberg OP, LLC (2023-001494) - correspondence to Clerk of Court  
**Attachments:** Rittenberg \_ Hanahan - correspondence dated 10.18.23 to Clerk of Court re\_ appeal.PDF

Counsel,

Attached please find and hereby served on you is a copy of a letter the Receiver is sending to and filing with the Clerk of Court for the Court of Appeals today in connection with the above-referenced matter. The letter and proof of service will be filed shortly.

Best regards,

Michael



**ROGERS TOWNSEND**  
ATTORNEYS AT LAW

**Michael H. Weaver**  
Member

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