

RECEIVED

Nov 30 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 Mikell R. Scarborough,
Master in Equity

Case No. 2017-CP-10-03099

Appellate Case No. 2022-001479

Elizabeth Heatley, Neil B. McCann, Jr., David Neil Monk, Thomas V. Bessent,
and Mariner’s Cay Marina Council of Co-Owners, Inc..... Respondents,

vs.

Mariner’s Cay Marina Condo, LLC, Mariner’s Cay Fuel Dock, LLC, George A. Farmer, Jr.,
and South Atlantic Bank, Defendants

Of which Mariner’s Cay Marina Condo, LLC, Mariner’s Cay Fuel Dock, LLC
and George A. Farmer, Jr., are the Appellants.

PROOF OF SERVICE

I certify that I have served the Brief of Respondents on Appellants Mariner’s Cay Marina Condo, LLC, Mariner’s Cay Fuel Dock, LLC, and George A. Farmer, Jr., by depositing copies of it in the United States Mail, postage prepaid, on November 30, 2023, addressed to their attorneys of record, G. Hamlin O’Kelley, III, Buist Byars & Taylor, 652 Coleman Blvd., Suite 200, Mt. Pleasant, SC 29464, and Kevin W. Mims, LM Law LLP, 1156 King Street, Charleston, SC 29403 and via email to hamlin.okelley@buistbyars.com, KMims@lmlawllp.com, on November 30, 2023.

CLB
#1

[SIGNATURE ON FOLLOWING PAGE]



Capers G. Barr, III
SC Bar No: 00542
11 Broad Street (29401)
P.O. Box 1037
Charleston, SC 29402
Telephone: 843-577-5083
Facsimile: 843-723-9039
cgb@barrungermcintosh.com
Attorney for Respondents

Charleston, South Carolina
November 29th, 2023

**BARR, UNGER
& MCINTOSH**
ATTORNEYS AT LAW

Capers G. Barr, III
Direct Dial: 843-377-1226
Email: cgb@barrungermcintosh.com

November 30, 2023

RECEIVED

Nov 30 2023

SC Court of Appeals

VIA E-MAIL and FEDERAL EXPRESS

ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

RE: Elizabeth Heatley v. Mariners Cay Marina Condo, LLC et al.,
C/A No.: 2017-CP-10-3099 / Appellate Case No.: 2022-001479
Our File Number: 2017-1152.01

Dear Ms. Kitchings:

Enclosed please find one unbound Brief of Respondents and one bound Brief of Respondents (in the Fed Ex mailing), in the above appeal.

Also enclosed are Proof of Service upon opposing counsel, and Certificate of Counsel pursuant to Rule 211(b), SCACR.

By copy of this letter, I am serving same upon all counsel.

Please advise me if you require anything further.

With kind regards,

Sincerely yours,



Capers G. Barr, III

CGBIII/jth

Enclosure (as stated)

cc: G. Hamlin O'Kelley, III (hamlin.okelley@buistbyars.com)
David C. Cleveland, Esq. (DCleveland@clawsonandstaubes.com)
Kevin W. Mims, Esq. (KMims@lmlawllp.com)
Adam Friend and Board Members