

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
J. C. Nicholson, Jr., Circuit Court Judge

Case No. 2013-001623

South Carolina Electric & Gas Co.,Respondent,

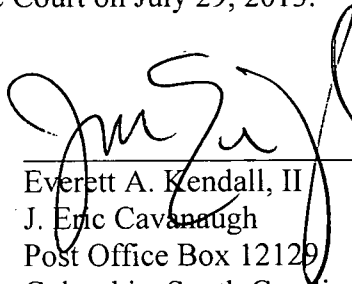
v.

Anson Construction Co.,Appellant.

AMENDED NOTICE OF APPEAL

Anson Construction Company ("Anson"), appeals the July 23, 2013 Order of the Honorable J.C. Nicholson, Jr., granting partial summary judgment to Respondent. The Order deprives Anson of a defense presented by its Answer to Respondent's claims. Immediate appeal is, therefore, provided for in S.C. CODE ANN. §14-3-330 (1) and (2). A copy of the Order is attached. Appellant received a written copy of the appealed order from opposing counsel on July 23, 2013, and a copy by U.S. Mail from the Court on July 29, 2013.

August 5, 2013



Everett A. Kendall, II
J. Eric Cavanaugh
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(803)256-2233
Attorneys for Appellant

Other Counsel of Record:

John A. Massalon
97 Broad Street
Post Office Box 859
Charleston, SC 29402
Attorney for Respondent
(843) 727-1144

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AUG 05 2013

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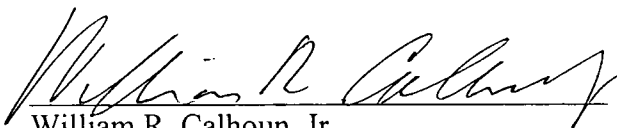
v.

Anson Construction Co.,Appellant.

PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal on South Carolina Electric and Gas Company by depositing a copy of it in the United States Mail, postage prepaid, on August 5, 2013, addressed to its attorney of record, John A. Massalon, Post Office Box 859, Charleston, South Carolina 29402.

August 5, 2013



William R. Calhoun, Jr.
Post Office Box 12129
Columbia, South Carolina 29211
(803)256-2233
Attorney for Appellant



SWEENY WINGATE & BARROW P.A.

August 5, 2013

Reply to: Main Office

William R. Calhoun, Jr.
(803) 256-2233
wrc@swblaw.com

VIA HAND DELIVERY

South Carolina Court of Appeals
ATTN: V. Claire Allen, Deputy Clerk of Court
1015 Sumter Street
Columbia, South Carolina 29201

RE: SCE&G v. Anson Construction Co., Inc.
Appellate Case No.: 2013-001623
Our File: 1395-7955

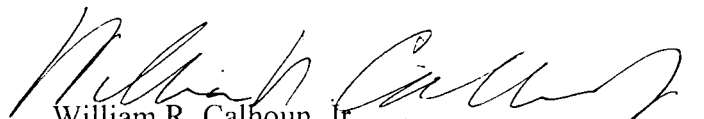
Dear Ms. Allen:

Your letter of August 1, 2013, pointed out that Anson Construction, Inc.'s Notice of Appeal had a deficiency in that it did not include a statement that provided the date on which we received written notice of the entry of the appealed order. We received, via e-mail from opposing counsel, a copy of the filed order on July 23, 2013. We received a written copy of the filed order from the Clerk of Court of Charleston County, via U.S. Mail, on July 29, 2013. An Amended Notice of Appeal is included if it is needed.

Please let us know if you need anything else from us.

Yours truly,

SWEENY, WINGATE & BARROW, P.A.


William R. Calhoun, Jr.

WRC/bcr
Encl.

cc: John A. Massalon, Esquire

RECEIVED

AUG 05 2013

SC Court of Appeals