

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Appellate Case No.: 2020-000320

Associated Receivables Funding, Inc.....Respondent,

v.

Dunlap, Inc.; James Stephen Dunlap, an Individual; Dunlap Industrial Coating Services, Inc.;
Dunlap Industrial Services, Inc.; Classic Industrial Services, Inc.; and Mark Beuerle, an
Individual,..... Defendants,

Of Which, Classic Industrial Services, Inc., is.....Appellant.

**RENEWED PETITION FOR THE IMPOSITION OF SUPERSEDEAS BOND
OR, IN THE ALTERNATIVE, LIFT OF STAY**

COMES NOW, the Respondent Associated Receivables Funding, Inc. (“Respondent”), pursuant to Rule 241(d)(7), SCACR, and hereby requests that the court either order that Appellant Classic Industrial Services, Inc. give a supersedeas bond to affect the stay of Respondent’s proceedings to enforce its judgment against Appellant or, in the alternative, order that the stay of execution be lifted.

GROUND FOR PETITION

On or about January 31, 2020, Respondent obtained a judgment against Appellant in the amount of Three Hundred Twenty-Three Thousand, Seven Hundred Eighteen and 31/100ths Dollars (\$323,718.31). On June 20, 2024, the Court of Appeals issued its Opinion ruling that Respondent was entitled to a judgment against Appellant in the amount of \$202,390.92 in unpaid invoices at the 8.75% statutory interest rate. The 8.75% statutory interest rate is the same as

judgment interest rate pursuant to The South Carolina Supreme Court’s Order No.: 2020-01-06-01 on Interest Rate on Money Decrees and Judgments. As of today, the \$202,390.92 plus interest at 8.75%, compounded annually, equals \$404,728.98 as calculated as follows:

Inv. #	Inv Date	Amt (P)	Years (t)	Principle and Interest $P(1 + r/1)^{1t}$
6933	3/28/2016	\$12,600.00	8.315068493	\$25,309.43
6934	3/28/2016	\$15,223.68	8.315068493	\$30,579.58
6944	4/4/2016	\$5,998.08	8.295890411	\$12,028.89
6945	4/4/2016	\$5,453.60	8.295890411	\$10,936.96
6946	4/4/2016	\$29,387.64	8.295890411	\$58,935.63
6948	4/12/2016	\$18,117.35	8.273972603	\$36,266.82
6949	4/20/2016	\$18,000.00	8.252054795	\$35,965.72
6951	4/20/2016	\$4,422.03	8.252054795	\$8,835.64
6952	4/25/2016	\$18,000.00	8.238356164	\$35,924.42
6953	4/27/2016	\$40,662.14	8.232876712	\$81,116.25
6954	4/27/2016	\$5,998.08	8.232876712	\$11,965.47
6955	4/27/2016	\$5,998.07	8.232876712	\$11,965.45
6956	4/27/2016	\$5,453.59	8.232876712	\$10,879.28
6957	5/2/2016	\$9,000.00	8.219178082	\$17,933.34
6959	5/4/2016	\$8,076.66	8.21369863	\$16,086.10
		\$202,390.92		\$404,728.98

To date, more than four years after first obtaining its judgment, Respondent has been stayed from executing upon its judgment and no bond has been required by the lower Court or this Court. Now that this Court has partially affirmed Respondent’s judgment, it would be patently unfair for the Appellant to not be required to post a supersedeas bond or for Respondent to continue to have to wait to collect while Appellant’s Motion for Rehearing and, then, possible Writ of Certiorari are determined. Respondent, aggrieved by the decision to not require the posting of a supersedeas bond, now petitions this Court to condition the stay of Respondent’s proceedings to enforce its judgment against Appellant on the filing of a bond by Appellant in an amount the Court deems

appropriate in accordance with Rule 241(c)(3), SCACR. Further, as Appellant is an out of state corporation, Respondent would respectfully ask that the supersedeas bond be set at the affirmed amount of the judgment, plus interest: \$404,728.98. Three Hundred

CONCLUSION

For the foregoing reasons, Plaintiff would respectfully request that the Court require a supersedeas bond be given and that the amount of the supersedeas bond be set at the judgment amount of \$404,728.98 or, in the alternative, that the stay of execution be lifted.

Respectfully submitted,



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Attorney for Respondent

July 19, 2024
Greenville, South Carolina

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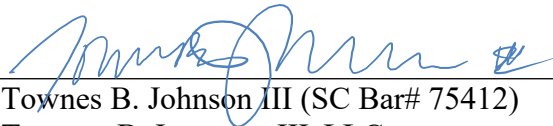
Of Which, Classic Industrial Services, Inc., is.....Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that a true copy of Associated Receivables Funding, Inc.'s
Renewed Petition for the imposition of Supersedeas Bond or, in the alternative, Lift of Stay in the
above-referenced case has been served on all parties of record by email, addressed as follows:

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