

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

**BLYTHEWOOD OIL CO., INC.,
Appellant**

v.

**SHINDA SINGH, FIVE RIVERS, INC., and SINGH, INC.,
Respondents.**

Appellate Case No. 2021-000944

TO: THE HONORABLE COURT OF APPEALS

Appellant, Blythewood Oil Co., Inc., respectfully submits its Reply to the Respondent's return filed on February 5, 2025.

I. FRAUDULENT CORPORATE FORMATION & VEIL PIERCING

Respondent Singh's testimony establishes that the corporate entities were formed with the sole intent to hinder rightful claims of his partner's creditors in Illinois, a factor that the Court overlooked in its opinion (R. 386, ln 24-25; p. 387, ln 1-10). [Test 4: A transaction is fraudulent when it is completed to wrongfully defeat the predecessor's creditors' claims. *Brown v. American Ry. Express Co.*, 128 S.C. 428, 123 S.E. 97 (1924)]

II. RESPONDENTS' RETURN CONFIRM THE ORAL PARTHNSHIP DID NOT END UNTUL MARCH 2010

Respondents' Return to Motion for Rehearing, dated February 5, 2025, admits that Shinda Singh's partnership continued through March 2010 as opposed to 2008. This contradiction further supports Appellant's position that liability should have remained with the partnership (Respondents' Return to Motion for Rehearing, p. 2).

III. CONCLUSION

The trial court's failure to address the Respondent's fraudulent corporate formation, the exclusion of gasoline from the leases, the financial evidence of unjust enrichment, and the incorrect use of estoppel constitutes reversible error. Appellant Blythewood Oil respectfully requests that this Court grant rehearing and issue its ruling in favor of Appellant consistent with the evidence of record and controlling law.

Respectfully submitted,

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