



Bernie Ellis
bellis@burr.com
Direct Dial: (864) 552-9342
Direct Fax: (864) 250-2049

Burr & Forman LLP
Poinsett Plaza
104 South Main Street, Suite 700
Greenville, SC 29601

Mailing Address:
Post Office Box 447
Greenville, SC 29602

Office (864) 271-4940
Fax (864) 271-4015

BURR.COM

April 4, 2025

VIA EMAIL ONLY Ctapp@sccourts.org

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED
Apr 04 2025
SC Court of Appeals

**Re: Andrew E. Lewis v. Lakeview Loan Servicing, LLC and Loan Care, LLC
Civil Action No. 2022-CP-23-05612**

Dear Ms. Kitchings:

Pursuant to the Order of this Court, a copy of which is filed herewith, the undersigned counsel for the Appellant advises that the parties have addressed the matters set forth in the Order by submitting the attached proposed consent order to the Circuit Court.

Please let me know if further information is needed.

With kind regards, I am

Very truly yours,

Burr & Forman LLP

A handwritten signature in blue ink that reads "Bernie W. Ellis".

Bernie Ellis

BWE

Encls

cc: Townes B. Johnson, III, Esq.
Christian H. Thorndike, Esq.

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

) **IN THE COURT OF COMMON PLEAS**
) **THIRTEENTH JUDICIAL CIRCUIT**
) **Civil Action No. 2022-CP-23-05612**

ANDREW E. LEWIS,

Plaintiff,

v.

LAKEVIEW LOAN SERVICING, LLC, and
LOANCARE, LLC

Defendants.

)
)
)
)
) **CONSENT ORDER REGARDING**
) **MISSING LANGUAGE IN**
) **TRANSCRIPT OF HEARING**

This matter has been remanded from the South Carolina Court of Appeals to allow counsel for the parties to attempt to correct the transcript of the hearing before this Court on September 5, 2024. The transcript revealed that several portions of the hearing were inaudible. The transcript also revealed that Defendants’ counsel who actually conducted the hearing, Benjamin Carnahan, was incorrectly identified as Bernie Ellis who, though present at the hearing, did not address the court or question the witness.

On March 13, 2025, counsel for both parties gathered at the Greenville County Courthouse and under the supervision of Judge Gravely and his staff to determine if the missing language could be supplied. Counsel determined that any of the meaningful language missing from the transcript was entirely inaudible and could not be reconstructed from the language that could be heard.

Therefore, the parties have stipulated as follows:

1. All references to Defendants’ counsel who conducted the hearing should be corrected in the transcript to identify counsel as Mr. Carnahan as opposed to Mr. Ellis.

2. The parties stipulate that all facts, arguments and legal authority raised in Defendants Motion to Alter or Amend the Judgment filed October 31, 2024, had been properly presented to the trial court such that they are preserved for appeal.

IT IS SO ORDERED.

The Court's Electronic Signature will follow.

<p>WE SO STIPULATE:</p> <p>BURR & FORMAN, LLP</p> <p><u>/s/ Bernie W. Ellis</u></p> <p>Bernie W. Ellis (SC Bar No. 64841) Post Office Box 447 Greenville, SC 29602 Tel. (864) 271-4940</p> <p>Attorneys for Defendant</p>	<p>WE SO STIPULATE:</p> <p>TOWNES B. JOHNSON, III, LLC</p> <p><u>s/ Townes B. Johnson III</u></p> <p>Townes B. Johnson III (SC Bar no.75412) Christian H. Thorndike (SC Bar No. 103697) P.O. Box 9246 Greenville, SC 29604 Tel: (864) 757-4899</p> <p>Attorneys for Plaintiff</p>
---	---

The South Carolina Court of Appeals

Andrew E. Lewis, Respondent,

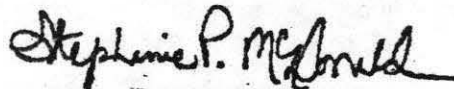
v.

Lakeview Loan Servicing, LLC, and Loan Care LLC,
Appellants.

Appellate Case No. 2024-002191

ORDER

Appellants moved to hold this appeal in abeyance and remand to the circuit court to correct the September 5, 2024 transcript. According to Appellants, Respondent consents to the relief requested. After careful consideration, we grant Appellants' motion. We hold the appeal in abeyance for sixty days and remand this appeal to the circuit court to correct the September 5, 2024 transcript. Counsel for the parties shall work together to determine if an agreement can be reached on the missing language and correction of the identification of the speakers. If counsel reach an agreement, they shall submit the agreement to the circuit court for consideration and issuance of a consent order. If counsel cannot reach an agreement, then counsel must submit the matter to the circuit court for resolution. At the conclusion of the sixty-day period for abeyance, Appellants shall advise this court of the status of the matter, including the filing of any order issued by the circuit court. Finally, we grant Appellants' request for an extension of time to serve and file their initial brief and designation of matter. Appellants' initial brief and designation of matter must be filed within thirty days of the conclusion of the abeyance period.



FOR THE COURT

Columbia, South Carolina

cc:

Bernie W. Ellis, Esquire

Weyman C. Carter, Esquire

Townes Boyd Johnson, III, Esquire

Christian Hill Thorndike, Esquire

Honorable Edward W. Miller

Jay Gresham

FILED
Feb 03 2025