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May 12 2025

SC Court of Appeals

Russell P. Patterson, P.A.



Serving the Lowcountry for over 40 years

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May 12, 2025

The Honorable Jenny Abbott Kitchings
Clerk of Court South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

via E-Mail

Re: **Mark C. Boyles v. NCP Bayou, LLC**
Appellate Case No.: 2024-000460

Dear Ms. Kitchings:

I represent the Respondent in the above referenced matter. On April 25, 2025, I received the attached letter from Mr. Paul Magarle stating that my payment of the \$50.00 filing fee associated with Respondent's Consent Motion for Substitution of Party should be refunded. ("Exhibit 1"). I believe this statement was made in error due to the mistaken belief that Respondent's Consent Motion for Substitution of Party was merely a duplicate copy of Appellate Counsel Matthew Tillman's Motion for Substitution of Counsel.

On April 16, 2025, I filed the attached Consent Motion for Substitution of Party via email on behalf of the Respondent, a copy of which is attached hereto as Exhibit 2. Shortly thereafter, I received the attached email confirming the Motion was filed, a copy of which is attached hereto as Exhibit 3. However, the Motion does not appear on the C-Track records for the case. I am assuming that this error was due to the mistaken belief that my filing was merely a duplicate copy of Mr. Tillman's Consent Motion for Substitution of Counsel filed just nine (9) days earlier, on April 7th.

In an effort to ensure that Respondent's Consent Motion for Substitution of Party is filed, I have enclosed a replacement copy for filing (Exhibit 3). Additionally, I have placed the \$50.00 filing fee in the mail to the Court.

Please contact our office if you have any questions.

Sincerely,

RUSSELL P. PATTERSON, P.A.

Lauren P. Williams

Lauren P. Williams

Enclosures

cc: Matthew Tillman, Esq.

EXHIBIT 1



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 25, 2025

Paul Magargle
Div. of Finance and Personnel
1220 Senate St., Suite 101
Columbia, S.C. 29201

Re: Mark C. Boyles v. NCP Bayou, LLC
Appellate Case No. 2024-000460

Dear Mr. Magargle:

We received a motion to substitute in the above entitled appeal. The respondent's counsel provided this office with a fifty dollar (\$50.00) filing fee in the form of a check, **number 9506**, which was deposited on April 21, 2025. This filing fee is not needed at this time.

Please refund the \$50.00 filing fee to Lauren Patterson Williams at their mailing address furnished below.

Ms. Lauren Patterson Williams, Esquire
PO Box 8047
Hilton Head Island SC 29938

Thank you for your assistance in this matter.

Very truly yours,

Catherine Harrison, deputy

CLERK

cc: Lauren Patterson Williams, Esquire
Russell Pierce Patterson, Esquire
Matthew Tillman, Esquire

EXHIBIT 2

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Apr 16 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Alison Renee Lee, Circuit Judge

Case No. 2024-000460

MARK C. BOYLES

Appellant,

v.

NCP BAYOU, LLC

Respondent.

CONSENT MOTION FOR SUBSTITUTION OF PARTY

Pursuant to Rule 265(c), SCACR, Respondent hereby submits the within consent motion for the substitution of NG Solutions, LLC as Respondent in place of NCP Bayou, LLC. On or about December 20, 2024, NCP Bayou, LLC transferred, assigned, and conveyed its judgment against Mark C. Boyles, Sr. a/k/a Mark C. Boyles and Carolina Timber, Inc. to NG Solutions, LLC pursuant to that certain Assignment of Judgment attached hereto as Exhibit 1. Counsel for the Appellant consents.

WHEREFORE, NG Solutions, LLC respectfully requests it be substituted for NCP Bayou, LLC as Respondent in this matter.

WE SO MOVE AND CONSENT

/s/ Lauren P. Williams

Lauren P. Williams

Russell P. Patterson, P.A.

P.O. Box 8047

Hilton Head, SC 29938
(843) 341-9300
lauren@russellpattersonlaw.com
Attorneys for NG Solutions, LLC

WE SO CONSENT:

/s/ Matthew E. Tillman
Matthew E. Tillman (SC #70338)
Womble Bond Dickinson (US) LLP
5 Exchange Street
Charleston, SC 29401
(843) 722-3400
Matthew.tillman@wbd-us.com
Attorney for Appellant

EXHIBIT 1

PREPARED BY AND RETURN TO:
William E. Shaulis, President of
The Cadle Company, manager of
NG Solutions, LLC
100 North Center Street
Newton Falls, OH 44444-1321
Our File No. NNK00002

**IN THE COURT OF COMMON PLEAS
THE FOURTEENTH JUDICIAL CIRCUIT
JASPER COUNTY, SOUTH CAROLINA
CASE NO. 2013-CP-27-325**

PLAINTIFF(S):

V

DEFENDANT(S):

CoastalStates Bank

**Carolina Timber, Inc.; Mark C. Boyles, Sr.
a/k/a Mark C. Boyles; South Carolina
Department of Employment and Workforce;
BBVA Compass Bank, Agent for Tidewater
Equipment Company**

ASSIGNMENT OF JUDGMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **NCP BAYOU LLC**, a **limited liability company** located at 55 Saugatuck Avenue, Westport, CT 06880 (hereinafter the "Assignor"), hereby transfers, assigns and conveys without recourse, or any representation, or warranties, express or implied unto **NG SOLUTIONS, LLC**, located at 100 North Center Street, Newton Falls, OH 44444 (hereinafter the "Assignee"), all of Assignor's right, title and interest, if any, in the Judgment rendered in Case No. 2013-CP-27-325, dated on December 31, 2013 in the Fourteenth Judicial Circuit, Court of Common Pleas, Jasper County, South Carolina, wherein CoastalStates Bank was the Plaintiff and Carolina Timber, Inc. and Mark C. Boyles, Sr. a/k/a Mark C. Boyles were the Defendant(s). Said Judgment was E-filed on March 27, 2018 with the Court of Common Pleas, Jasper County, South Carolina in Case No. 2018CP2700170.

The Bill of Sale between NCP Bayou LLC, Assignor and NG Solutions, LLC, Assignee, is dated and effective as of December 20, 2024.

In witness whereof, the undersigned has hereunto set its hand by its duly authorized officer this 14th day of April, 2025.

Kathryn Sabol
Witness

Shawn Elliott
Witness

NCP BAYOU LLC, A LIMITED LIABILITY COMPANY, BY THE CADLE COMPANY, MANAGER OF NG SOLUTIONS, LLC, ITS ATTORNEY IN FACT, BY LIMITED POWER OF ATTORNEY DATED DECEMBER 19, 2024, AND RECORDED ON JANUARY 21, 2025, WITH THE TRUMBULL COUNTY RECORDER, OHIO, UNDER INSTR. NO. 202501210000846.

By: William E. Shaulis
William E. Shaulis
Its: President

STATE OF OHIO

COUNTY OF TRUMBULL

Before me, the undersigned, a Notary Public in and for said State and County, on this the 14th day of April, 2025, personally appeared William E. Shaulis, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as President of The Cadle Company, manager of NG Solutions, LLC and acknowledged to me that he executed the same as his free and voluntary act and deed of such maker, for the uses and purposes therein set forth.

Jeanine R. Navarra
Notary Public



Jeanine R Navarra
Notary Public, State of Ohio
My Commission Expires:
October 29, 2028

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Alison Renee Lee, Circuit Judge

Case No. 2024-000460

MARK C. BOYLES

Appellant,

v.

NCP BAYOU, LLC

Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, counsel for Appellant was served with a copy of the Consent Motion for Substitution of Party by sending a copy of the same via E-Mail on the date set forth below.

Matthew Tillman (SC #70338)
Womble Bond Dickinson
P.O. Box 999
Charleston, SC 29402
matthew.tillman@wbd-us.com
Attorney for Appellant

Respectfully submitted,

/s/ Lauren P. Williams
Lauren P. Williams
Russell P. Patterson, P.A.
P.O. Box 8047
Hilton Head, SC 29938
(843) 341-9300
lauren@russellpattersonlaw.com
Attorneys for Respondent,
NG Solutions, LLC

Hilton Head Island, South Carolina
April 14, 2025

EXHIBIT 3

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Alison Renee Lee, Circuit Judge

Case No. 2024-000460

MARK C. BOYLES

Appellant,

v.

NCP BAYOU, LLC

Respondent.

CONSENT MOTION FOR SUBSTITUTION OF PARTY

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WHEREFORE, NG Solutions, LLC respectfully requests it be substituted for NCP Bayou, LLC as Respondent in this matter.

WE SO MOVE AND CONSENT

/s/ Lauren P. Williams
Lauren P. Williams
Russell P. Patterson, P.A.
P.O. Box 8047

Hilton Head, SC 29938
(843) 341-9300
lauren@russellpattersonlaw.com
Attorneys for NG Solutions, LLC

WE SO CONSENT:

/s/ Matthew E. Tillman
Matthew E. Tillman (SC #70338)
Womble Bond Dickinson (US) LLP
5 Exchange Street
Charleston, SC 29401
(843) 722-3400
Matthew.tillman@wbd-us.com
Attorney for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Alison Renee Lee, Circuit Judge

Case No. 2024-000460

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SC Court of Appeals

MARK C. BOYLES

Appellant,

v.

NCP BAYOU, LLC

Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, counsel for Appellant was served with a copy of the Consent Motion for Substitution of Party by sending a copy of the same via E-Mail on the date set forth below.

Matthew Tillman (SC #70338)
Womble Bond Dickinson
P.O. Box 999
Charleston, SC 29402
matthew.tillman@wbd-us.com
Attorney for Appellant

Respectfully submitted,

/s/ Lauren P. Williams
Lauren P. Williams
Russell P. Patterson, P.A.
P.O. Box 8047
Hilton Head, SC 29938
(843) 341-9300
lauren@russellpattersonlaw.com
Attorneys for Respondent,
NG Solutions, LLC

Hilton Head Island, South Carolina
May 12, 2025