

CLEMENT RIVERS, LLP

ATTORNEYS AT LAW

Pollyana Bell
Secretary

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1369
E-mail: pbell@ycrlaw.com

June 10, 2025

RECEIVED

JUN 12 2025

SC Court of Appeals

VIA US MAIL

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: TCC of Charleston, Inc. v. Concord & Cumberland, LLC
Appellate Case No.: 2021-000272
Case No.: 2016-CP-10-2955
YCR File: 5321-20160538

104953

Dear Ms. Kitchings:

Enclosed please find our firm's check representing the filing fee for Respondent Betty L. Beatty's Motion for Leave to Serve/File their Return to Petition for Rehearing Out of Time, which was electronically filed on June 9, 2025, in the above-referenced matter.

With best wishes and kindest regards, I am

Sincerely,

CLEMENT RIVERS, LLP

Pollyana Bell
Secretary

/pbb
Enclosure(s)

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge
Mikell R. Scarborough, Circuit Court Judge

Case No. 2016-CP-10-02955
Appellate Case No. 2021-000272

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SC Court of Appeals

TCC of Charleston, Inc.,

Appellant/Respondent,

v.

Concord and Cumberland, LLC, Concord & Cumberland HPR, Leo Hall, Diane Hall, Bea H. Smith, Margaret C. Pope, William D. Foster, Jr., Gene G. Foster, Mattison J. MacGillivray, Teresa MacGillivray, Pamela L. Vaughn, Nelia A. Patricio, Trustee of the Nelia A. Patricio Revocable Trust Agreement, Stuart D. Reeves, Edward T. Strom, Barbara K. Henderson, James R. Clarke, Paul A. Brim, Robert K. Seidl, Jennifer M. Seidl, Robert Kenneth Seidl, II, M. Bert Storey, Thomas R. Mather, Edward T. Strom, 304 Concord & Cumberland, LLC, Marion M. Simpson f/k/a Marion Moore McDonald Simpson, Kathy Gardner, Gregory J. Gardner, Freeman Waterfront Properties, LLC, Jo-Ann Cooper, Betty Y. Segal, Robert M. Levin, and Bonita K. Levin, Donald D. Leonard, Betty L. Beatty, Mattellen, LLC, and Thomas R. Debnam, Trustee of the Trust Agreement of Thomas R. Debnam,

Respondents,

Of which Concord & Cumberland HPR is the

Respondent/Appellant.

MOTION FOR LEAVE TO SERVE/FILE RETURN TO
PETITION FOR REHEARING OUT OF TIME

CLEMENT RIVERS, LLP

Edward D. Buckley, Jr. (SC Bar No. 994)

W. Siau Barr, Jr. (SC Bar No. 76353)

Russell G. Hines (SC Bar No. 72100)

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

Attorneys for Respondent Betty L. Beatty

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COMES NOW Respondent, Betty L. Beatty, by and through her undersigned counsel, and respectfully moves this Honorable Court to accept her Return to Appellant/Respondent's Petition for Rehearing for filing out of time (such return is attached hereto). In support hereof, Respondent would show unto this Court as follows:

1. Pursuant to this Court's letter of May 19, 2025, the deadline for Beatty's return to the petition for rehearing was May 29, 2025.

2. On May 29, 2025, the undersigned filed a motion for extension of time to serve/file return to Appellant/Respondent's petition for rehearing, seeking ten additional days, making the new deadline June 9, 2025. On that same day, the undersigned calendared the requested deadline to file the return.

3. On June 2, 2025, this court filed an Order granting the extension of time, but setting a deadline of June 6, 2025.

4. The undersigned received the Court's Order, but unfortunately did not realize that the Court did not grant the full requested amount of time and set a new deadline. As such, the undersigned never adjusted his calendar and believed the Court granted the new deadline of June 9, 2025.

For the foregoing reasons, and to the extent that such is now necessary and the return to the petition for rehearing is now past due, Respondent Betty L. Beatty

hereby moves to be allowed to file such return out of time. The undersigned submits there is good cause for the granting of such motion as the adjudication of this matter on its merits is in the interest of justice and works no undue prejudice upon any other party.

Respectfully Submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Edward D. Buckley, Jr. (SC Bar No. 994)
W. Siau Barr, Jr. (SC Bar No. 76353)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488
*Attorneys for Respondent Betty L.
Beatty*

Charleston, South Carolina

June 9, 2025

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge
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Case No. 2016-CP-10-02955
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TCC of Charleston, Inc.,

Appellant/Respondent,

v.

Concord and Cumberland, LLC, Concord & Cumberland HPR, Leo Hall, Diane Hall, Bea H. Smith, Margaret C. Pope, William D. Foster, Jr., Gene G. Foster, Mattison J. MacGillivray, Teresa MacGillivray, Pamela L. Vaughn, Nelia A. Patricio, Trustee of the Nelia A. Patricio Revocable Trust Agreement, Stuart D. Reeves, Edward T. Strom, Barbara K. Henderson, James R. Clarke, Paul A. Brim, Robert K. Seidl, Jennifer M. Seidl, Robert Kenneth Seidl, II, M. Bert Storey, Thomas R. Mather, Edward T. Strom, 304 Concord & Cumberland, LLC, Marion M. Simpson f/k/a Marion Moore McDonald Simpson, Kathy Gardner, Gregory J. Gardner, Freeman Waterfront Properties, LLC, Jo-Ann Cooper, Betty Y. Segal, Robert M. Levin, and Bonita K. Levin, Donald D. Leonard, Betty L. Beatty, Mattellen, LLC, and Thomas R. Debnam, Trustee of the Trust Agreement of Thomas R. Debnam,

Respondents,

Of which Concord & Cumberland HPR is the

Respondent/Appellant.

PROOF OF SERVICE

CLEMENT RIVERS, LLP
Edward D. Buckley, Jr. (SC Bar No. 994)
W. Siau Barr, Jr. (SC Bar No. 76353)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Respondent Betty L. Beatty

I, Russell G. Hines, of Clement Rivers, LLP, counsel for Respondent Betty L. Beatty, do hereby certify that the foregoing **MOTION FOR LEAVE TO SERVE/FILE RETURN TO PETITION FOR REHEARING OUT OF TIME** was served on all other parties to this matter on June 9, 2025, via email (see attached) to their counsel of record:

Jaan G. Rannik, Esquire
Epting & Rannik, LLC
46A State Street
Charleston, SC 29401
jgr@epting-law.com

and

Michelle N. Endemann, Esquire
497 St. Andrews Blvd.
Charleston, SC 29407
mendemann@clarksonwalsh.com
Attorneys for Appellant/Respondent

F. Cordes Ford IV, Esquire
Cordes.Ford@wbd-us.com
Henry E. Grimball, Esquire
Henry.Grimball@wbd-us.com
Robert Andrew Walden, Esquire
Andrew.Walden@wbd-us.com
Womble Bond Dickinson (US) LLP
P.O. Box 999
Charleston, SC 29402
Attorneys for Respondent/Appellant

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/ Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
Attorneys for Respondent Betty L. Beatty

Charleston, South Carolina

June 9, 2025

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Monday, June 9, 2025 12:26 PM
To: Jaan Rannik; Angela Gross; Ford, Cordes; Grimball, Henry; Walden, Andrew; Casey, Carol; mendemann@clarksonwalsh.com
Cc: 'Hines, Russell'; 'Buckley, Edward D. (Ed)'; Justman, Aimee
Subject: TCC of Charleston, Inc. v. Concord and Cumberland, LLC; Appellate Case No. 2021-000272 (CR 160538)
Attachments: TCC v. Concord (21-000272) -Motion for Leave to File Return to Petition for Rehearing Out of Time.pdf; TCC v. Concord (21-000272) -- Respondent Betty L. Beatty's Return to TCC's Petition for Rehearing.pdf

Enclosed please find Respondent Betty L. Beatty's Motion for Leave to Serve/File their Return to Petition for Rehearing Out of Time and Return to Appellant/Respondent TCC of Charleston's Inc.'s Petition for Rehearing for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell

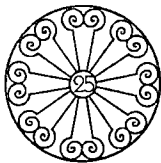
Legal Secretary to Stephen L. Brown,
Russell G. Hines, Stephen A. Griffith, Jr.

Commercial Litigation Practice Group

Phone: (843) 720-5488 | Fax: (843) 579-1369



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25 Calhoun Street • Suite 400 • Charleston, SC 29401
ycrlaw.com



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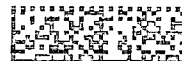
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