

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE

THIRTHEENTH JUDICIAL CIRCUIT

Synovus Bank,

C/A NO: 2019-CP-23-00367

Plaintiff,

vs.

**ORDER AND RULE TO SHOW CAUSE
IN SUPPLEMENTAL PROCEEDINGS**

Jeffrey L. Clemens,

Defendant.

Judgment having been rendered, an execution issued, a *nulla bona* return made to said execution, the Plaintiff, Synovus Bank (“Plaintiff”), having moved for an examination of Defendant, Jeffrey L. Clemens (“Defendant”) pursuant to the provisions of South Carolina Code Ann. §15-39-310, et. seq.; It is therefore,

ORDERED that, pursuant to South Carolina Code Ann. §§ 14-11-90 and 15-30-390, this matter having been referred to the Equity Court for Greenville County to entertain and rule upon all motions necessary to dispose of this matter, to include, but not be limited to, motions to appoint a Receiver, motion to continue the matter, motions to sell all or certain property of the judgment debtor in satisfaction of the judgment, motions to dismiss, and having authority to enter a Final Order, with any appeal directly to the South Carolina Court of Appeals.

IT IS FURTHER ORDERED that DEFENDANT, JEFFREY L. CLEMENS, DO APPEAR before the Honorable Charles B. Simmons, Jr., Master-In-Equity for Greenville County, South Carolina, at the **Greenville County Courthouse, 305 East North Street, Courtroom #5, Greenville, South Carolina, on the 21st day of November, 2024 at 10:00 A.M.** to answer, under oath, concerning his assets. And TO SHOW CAUSE why property should not be applied toward satisfaction of the Judgment set out in Plaintiff’s Petition; and TO SHOW CAUSE why a Receiver

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of such property should not be appointed, pursuant to the provisions of South Carolina Code Ann. § 15-39-430.

IT IS FURTHER ORDERED that **DEFENDANT** IS SUMMONED AND REQUIRED, then and there, to bring complete copies of all books and records pertaining to Defendant's assets of whatsoever kind, nature or location, including all intangible and tangible property, personal, corporate (business), real, or mixed, including, but not limited to, the following to Plaintiff, through its counsel, whose address is Haynsworth Sinkler Boyd, c/o Mary M. Caskey, 1201 Main Street, Suite 2200, Columbia, SC 29201, at least **twenty-one (21) days prior** to the hearing date set forth herein, if not already produced to Plaintiff:

1. All complete State and Federal income tax returns, with all attachments, including W-2 and 1099 Forms, for tax years 2021, 2022, and 2023, for which a return was filed by Defendant. If tax returns were not filed, provide copies of requests for extension(s) and letter(s) from government entities indicating such extension was permitted.
2. Monthly statements from January 1, 2023, to the present for all bank and/or credit union accounts, either checking, savings, IRA accounts, Certificates of Deposit and/or similar savings instruments of Defendant.
3. All records for any Venmo, Zelle, or Paypal accounts maintained or controlled by and on behalf of Defendant from January 1, 2023, to the present.
4. All loan applications submitted by the Defendant since January 1, 2022.
5. All profit and loss statements prepared for or on behalf of Defendant since January 1, 2022.
6. A list of all distributions of over \$500.00 received from companies to which Defendant is a shareholder since January 1, 2021.

7. All balance sheets prepared for or on behalf of Defendant since January 1, 2022.
8. All Quickbook records used or maintained by the Defendant since January 1, 2023.
9. A summary of all stocks, bonds or similar investment instruments held by Defendant, from January 1, 2023 to the present.
10. All records evidencing accounts receivables to and payable by Defendant from January 1, 2021 to the present.
11. All records concerning any contract entitling Defendant to current money from any source.
12. All records demonstrating or evidencing accounts receivables or rights to payment owed to Defendant from January 1, 2022 to present
13. All records provided to any accountant by Defendant since January 1, 2023.
14. All records concerning any distribution of more than \$500.00 made to or by Defendant since January 1, 2023.
15. All records evidencing any equipment owned by Defendant as of August 15, 2024, and any records related to any liens thereon.
16. Copies of all licenses, franchise agreements and operating agreements of Defendant.
17. All deeds and mortgages, whether as guarantor(s), or grantee(s), or mortgagor(s), or mortgagee(s) for any real property in which Defendant currently has any interest whatsoever, and the current balance on any liens/encumbrances.
18. All mortgages in which Defendant is the mortgagee, and entitled to payment from any third-party.

19. A list and specific description of all Defendant's company property, including vehicles and equipment, with identification of liens thereon and balance due.

20. Titles and/or bills of sale for all vehicles and equipment of any kind or description of Defendant with the current balance due on any liens/encumbrances and name and address of lienholder.

21. Copies of all endorsements, riders and/or all other documents related to property that is insured on behalf of Defendant.

22. A list of Defendant's tools and equipment with specific description and liens thereon.

23. A list of the furniture, fixtures and business equipment in use by Defendant, including a list of liens and current balances due and having a value of over \$1,000.00.

24. A list of all inventory in Defendant's possession, or inventory that has been sold or was in Defendant's possession since January 1, 2023.

25. A list of all property of Defendant that is leased, loaned or otherwise in the possession of any person other than Defendant, or stored, or remains in any location other than in Defendant's immediate possession.

26. A list of any asset over \$5,000.00 that has been transferred, sold, or donated by Defendant from January 1, 2022, to the present. For each asset, identify the asset, the date transferred, the transferee, and the value of the asset.

27. All documents concerning any asset available to satisfy the Judgment.

AND IT IS FURTHER ORDERED that at said time and place, Defendant will be required to SHOW CAUSE why, upon discovery of property by Plaintiff, the Court should not enter its appropriate order either requiring the Sheriff to levy upon Execution of Plaintiff's

Judgment or appointing a Receiver of all of the said property so discovered in order to satisfy the said Judgment or grant such other relief as is requested at the time of the examination.

AND IT IS FURTHER ORDERED that this Rule to Show Cause may be served on the Defendant by means of a private process server.

AND IT IS FURTHER ORDERED that Defendant is restricted from transferring any assets out of the ordinary course of business until otherwise ordered by this Court.

AND IT IS FURTHER ORDERED that any appeal in this case will be made directly to the South Carolina Court of Appeals.

AND IT IS FURTHER ORDERED that Defendant be, and hereby is, placed on actual notice by the service hereof, that should it not appear or otherwise produce the documents as ordered, that it may, without just cause shown, be considered to be in contempt of this Court's order, which violation could result in a fine, incarceration, or both.

IF DEFENDANT FAILS TO APPEAR AS ORDERED, DEFENDANT MAY BE HELD IN CONTEMPT OF COURT WHICH COULD RESULT IN A FINE AND/OR JAIL SENTENCE.

AND IT IS SO ORDERED.

JUDGE'S ELECTRONIC SIGNATURE PAGE TO FOLLOW



Greenville Common Pleas

Case Caption: Synovus Bank vs. Jeffrey L Clemens

Case Number: 2019CP2300367

Type: Order/Rule To Show Cause

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)