

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Alexander S. Macaulay, Circuit Court Judge

Case No. 2011-CP-04-2728

70231

LNV Corporation,

Respondent,

v.

Affordable Hospitality
Group-Anderson, LLC, Diversified
Capital Investment Group, LLC, and Jay Berlye,

Appellants.

NOTICE OF APPEAL

Affordable Hospitality Group-Anderson, LLC, Diversified Capital Investment Group, LLC, and Jay Berlye appeal the Order of the Honorable Alexander S. Macaulay dated September 25, 2013, and filed on September 30, 2013 (written notice of which was received on October 3, 2013) as well as an earlier Order of the trial court dated November 14, 2012 (written notice of which was received on November 16, 2012). The Order dated September 25, 2013, denied the Appellants' timely Motion to Alter or Amendment Judgment pursuant to Rule 59(e) South Carolina Rules of Civil Procedure (SCRCP) with respect to the earlier Order dated November 14, 2012 dismissing Appellants' Amended Answer and Counterclaim. Along and in association with their Rule 59(e) Motion, Appellants filed a Motion to Amend their pleading which the trial court also denied in its Order dated September 25, 2013.

October 28, 2013



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Attorney for Appellants

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SC Court of Appeals

Other counsel of record:

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Affordable Hospitality
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Capital Investment Group, LLC, and Jay Berlye,

Appellants.


CERTIFICATE OF SERVICE

The undersigned certifies that the Notice of Appeal was served upon all counsel of record this 28th day of October 2013, by depositing copies of same in the United States mail, postage prepaid, and addressed as follows:

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October 28, 2013

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

Re: LNV Corporation v. Affordable Hospitality Group—Anderson, LLC; Diversified
Capital Investment Group, LLC; Jay Berlye; Anderson County, South Carolina and the
State of South Carolina
C.A. No. 2011-CP-04-02728

Dear Ms. Kitchings,

Enclosed is a copy of Defendants' Notice of Appeal with a Certificate of Service for
same. An additional copy of the Notice is also enclosed. Please clock this additional copy and
return it in the postage-paid, self-addressed envelope provided.

A check for the filing fee of One Hundred and No/00 Dollars (\$100.00) is also enclosed.

Thank you in advance for your assistance.

Sincerely,


Ronald M. Childress

Enclosures

cc: Mr. Richard A. Shirley (w/encl.)
Mr. Dowse Brad Rustin (w/encl.)
Mr. Michael S. Pitts (w/encl.)
Mr. Milton G. Kimpson (w/encl.)

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