

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

HSBC BANK USA, NATIONAL
ASSOCIATION, AS TRUSTEE
FOR MLCC 2007-2,

Plaintiff,

vs. CIVIL ACTION NUMBER
2010-CP-07-2927

S. RUSSELL FIELDEN; DEBORAH M.
FIELDEN; COASTALSTATES BANK,

Defendants,

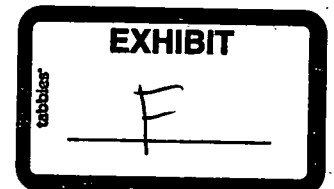
and

COASTALSTATES BANK,

Cross-Claim Plaintiff,

v.
S. RUSSELL FIELDEN AND DEBORAH M. FIELDEN,
Cross-Claim Defendants.

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The Hearing, in the above-entitled
cause, taken before the Honorable Judge Marvin
H. Dukes III, Master-in-Equity, taken by Ceil
Weser, Certified Court Reporter and Notary
Public, at the Beaufort County Courthouse, 102
Ribaut Road, Beaufort, on the 15th day of April,
2013, commencing at or about the hour of
10:22 a.m.



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APPEARANCES OF COUNSEL:

FOR THE PLAINTIFF:

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-and-

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1
2 do.

3 MR. VAUX: Okay.

4 THE JUDGE: Anything else from
5 either party?

6 MR. GWYNNE: No, your Honor.

7 MR. VAUX: No, your Honor.

8 MR. SLOAN: Not me.

9 THE JUDGE: Then I will conclude
10 the record.

11 MR. GWYNNE: Can I put something
12 else on the record, your Honor?

13 THE JUDGE: Oh, sorry, back on the
14 record.

15 MR. GWYNNE: Your Honor, my client
16 is planning to sell the property at the
17 May 6 sale. According to Rule 62B a
18 59E motion does not stay a judgment, so
19 we are moving forward on that; and I
20 would read Rule 62 to say that some
21 sort of bond would need to be posted in
22 order to affect the sale of. My client
23 and my firm are going forward with the
24 selling it on the 6th, so we are
25 incurring expenses regarding

1
2 advertising and that kind of thing.

3 MR. VAUX: Your Honor, may I
4 reply?

5 THE JUDGE: Certainly.

6 MR. VAUX: If he wants to go ahead
7 with it while this motion is pending,
8 that is his privilege and to do so,
9 obviously. And if he wishes to sell
10 the property, that is his right to do
11 so; but if he does so and the court,
12 either this Court or the Court of
13 Appeals of the Supreme Court reverses,
14 then as I understand the law it is his
15 obligation to buy the property back at
16 his expense.

17 MR. GWYNNE: I am not aware of
18 that law, your Honor.

19 MR. VAUX: Well, if he does so he
20 proceeds at his own risk.

21 THE JUDGE: I will let you all
22 talk about bonds off the record and see
23 whatever you all want to do about that.

24 But anything else for today's
25 regard?