

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

70241

APPEAL FROM YORK COUNTY
Equity Court

The Honorable S. Jackson Kimball, III, Master-in-Equity

RECEIVED

OCT 30 2013

SC Court of Appeals

Case No. 2013-CP-46-1986

York County and Cultural and Heritage Commission
of York County, Respondents,

cc

v.

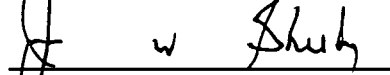
Culture and Heritage Foundation, Inc.; Sustainable
Development Group, Inc.; SDG Properties, LLC;
and CHF Property Management, LLC. Appellants.

NOTICE OF APPEAL

In this matter of public importance over the activities and disposition of assets of a charitable foundation, before donated funds and taxpayer dollars are used for expensive protracted discovery, Appellants appeal the orders of the Honorable S. Jackson Kimball, III dated October 14, 2013, which allow a former supported organization to pursue claims for alleged maladministration and ownership of assets without joining the South Carolina Attorney General and Secretary of State, and Internal Revenue Service as indispensable parties, and which grant such former organization an accounting without having to first prove that cause of action. Appellants received notice of the trial court's orders on October 14, 2013.

Date: 10/28/13

Respectfully submitted,



James W. Sheedy, S.C. Bar No. 5052
Susan E. Driscoll, S.C. Bar No. 71447
Driscoll Sheedy, P.A.
11520 N. Community House Road
Suite 200
Charlotte, N.C. 28277
(704) 341-2101 - Telephone
(704) 341-2015 - Facsimile
jimsheedy@driscollsheedy.com
sdriscoll@driscollsheedy.com

Attorneys for Appellants

Other Counsel of Record:

Brian A. Autry
Nexsen Pruet, LLC
P.O. Drawer 2426
Columbia, S.C. 29202-2426

Attorneys for Respondents

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
OCT 30 2013
SC Court of Appeals

APPEAL FROM YORK COUNTY
Equity Court

The Honorable S. Jackson Kimball, III, Master-in-Equity

Case No. 2013-CP-46-1986

York County and Cultural and Heritage Commission
of York County, Respondents,

v.

Culture and Heritage Foundation, Inc.; Sustainable
Development Group, Inc.; SDG Properties, LLC;
and CHF Property Management, LLC. Appellants.

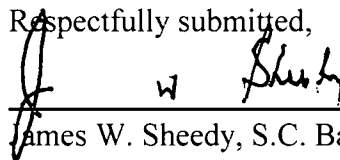
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below he served
counsel for Respondents with a copy of the *Notice of Appeal in a Civil Case* by
mailing a copy of the same via First Class, U.S. Mail, postage-paid on the date set
forth below.

Brian A. Autry
Nexsen Pruet, LLC
P.O. Drawer 2426
Columbia, S.C. 29202-2426

Date: 10/28/13

Respectfully submitted,

 w Sheedy

James W. Sheedy, S.C. Bar No. 5052
Susan E. Driscoll, S.C. Bar No. 71447
Driscoll Sheedy, P.A.
11520 N. Community House Road
Suite 200
Charlotte, N.C. 28277
(704) 341-2101 - Telephone
(704) 341-2015 - Facsimile
jimsheedy@driscollsheedy.com
sdriscoll@driscollsheedy.com

Attorneys for Appellants

Driscoll SHEEDY

A PROFESSIONAL ASSOCIATION | ATTORNEYS AT LAW

James W. Sheedy
Lic. in NC & SC
Direct: 704 341 2102
Fax: 704 341 2105
jimsheedy@driscollsheedy.com

Ballantyne: 11520 N. Community House Road
Suite 200 | Charlotte, NC 28277
South Carolina Office: 222 E. Main Street
Suite 204 | Rock Hill, SC 29730
PO Box 4589 | Rock Hill, SC 29732
www.driscollsheedy.com

October 28, 2013

Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

RECEIVED

OCT 30 2013

SC Court of Appeals

**Re: York County and Cultural and Heritage Commission of York County v.
Culture and Heritage Foundation, Inc., et al
C.A. No.: 13-CP-46-1986**

Dear Ms. Kitchings:


Enclosed please find the originals and corresponding copies of the Notice of Appeal in a Civil Case and a Certificate of Service in the above referenced matter. Copies of the Order Denying Defendants' Motion to Dismiss Amended Complaint and Order Denying in Part and Granting in Part Defendants' Motion for Protective Order, each filed October 24, 2013, are also enclosed. Please file the originals with the records of your office and return clocked copies to me in the envelope provided. A check in the amount of \$100.00 is also enclosed for the filing fee.

By copy of this letter, I am serving copies of the above referenced documents on counsel of record.

With kindest regards, I remain

Respectfully,

DRISCOLL SHEEDY, P.A.


James W. Sheedy

October 28, 2013

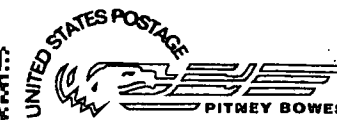
Page 2

cc: William Easley
Jane Peeples
Honorable David Hamilton
Brian Autry, Esq.

Dris

A PROFESSIONAL AS
11520 N. Com

Charlotte, NC 28277



02 1P \$ 002.320
0001785968 OCT 28 2013
MAILED FROM ZIP CODE 28277

Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201