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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh

Case No. 2024-CP-04-02229

Moats Construction, Inc. and The Green Man, LLC,

Appellants,

v.

APB Partnership, LLC, Wesley Edwards, 2916 N. Main, LLC, W.H. Bass, Inc., Whataburger
Restaurants, LLC, and United Community Bank,

Respondents.

NOTICE OF APPEAL

Moats Construction, Inc. appeals the Honorable R. Lawton McIntosh's Order Denying Plaintiff's Motion to Reconsider Cancellation of Lis Pendens. The court entered a Form 4 Order on August 27, 2025, indicating that a formal order was to follow. The court subsequently entered its formal Order on September 4, 2025, attached as **Exhibit 1**.

[Signature page to follow]

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October 1, 2025

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Respondents.

PROOF OF SERVICE

I certify that the Notice of Appeal has been served on Daniel L. Draisen, counsel for Respondents APB Partnership, LLC, Wesley Edwards, and 2916 N. Main, LLC, by email sent to his primary e-mail address listed in the Attorney Information System, daniel@injuredsc.com, Paul H. Hoefler and C. Elizabeth Weston, counsel for Respondent United Community Bank, by email sent to their primary e-mail addresses listed in the Attorney Information System, phoefler@robinsongray.com and lweston@robinsongray.com, Christopher B. Major, counsel for Whataburger Restaurants, LLC, by email sent to his primary e-mail address listed in the Attorney Information System, cmajor@hsblawfirm.com, and Dana Lang, counsel for Respondent W.H. Bass, Inc., by email sent to her primary e-mail address listed in the Attorney Information System, dana.lang@wbd-us.com.

The undersigned also certifies that I have filed the Notice of Appeal with the Clerk of Court for Anderson County Common Pleas via electronic filing.

[Signature page to follow]

s/ David L. Paavola

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