

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge


CASE NO: 2011-CP-42-000618

70318

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SC Court of Appeals

 Fireman's Fund Insurance
Company, a/s/o Stig Wennerstrom,

Appellant,

v.


Searcy Custom Homes, LLC and
B&B Plumbing, Inc.,

Respondents.

NOTICE OF APPEAL

Fireman's Fund Insurance Company appeals the Judgment of the Honorable J. Mark Hayes, II, dated October 3, 2013. Appellant received written notice of entry of this Judgment on October 29, 2013.

October 31, 2013



Svend H. Deal (SC Bar No. 80241)

Cozen O'Connor

One Wells Fargo Center, Suite 2100

301 South College Street

Charlotte, NC 28202

Telephone: (704) 376-3400

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sdeal@cozen.com

Attorneys for Appellant, Fireman's Fund
Insurance Company

Other Counsel of Record:
Jason Michael Imhoff
The Ward Law Firm, P.A.
P.O. Box 5663
Spartanburg, SC 29304
Telephone: (864) 582-3075
jimhoff@wardfirm.com
Attorneys for Respondents

THE STATE OF SOUTH CAROLINA
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Tribunal Case No.: 2011-CP-42-000618

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CERTIFICATE OF SERVICE OF NOTICE OF APPEAL

Appellant, Fireman's Fund Insurance Company, by and through counsel, certifies that it served a true and correct copy of the foregoing Notice of Appeal on Respondents, via U.S. Mail and in the manner below described, on the **31st day of October, 2013** (Delivery receipts attached hereto as Exhibit "A") as follows:

As To Other Counsel of Record:

(Via Electronic Mail and via Regular U.S. Mail) (Delivered: 10/31/2013)

Jason Michael Imhoff, Esquire
The Ward Law Firm, P.A.
P.O. Box 5663
Spartanburg, SC 29304
Telephone: (864) 582-3075
jimhoff@wardfirm.com

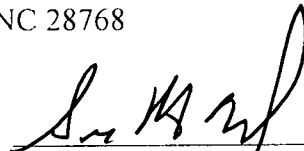
As to Respondents:

(Via Certified Mail/Delivery Receipt Requested) (Notice left: 11/1/2013)

Searcy Custom Homes, LLC: Attn: Mark R. Searcy, Its Registered Agent/Managing Member
2731 Chimney Rock Road
Hendersonville, NC 28792

(Via Certified Mail/Delivery Receipt Requested) (Delivered: 11/4/2013)

B & B Plumbing, Inc.: Attn: Randall Blythe, Its Registered Agent/President
2260 Hendersonville Hwy.
Pisgah Forest, NC 28768



Svend H. Deal (SC Bar No. 80241)
Cozen O'Connor

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DATE & TIME	STATUS OF ITEM	LOCATION
November 4, 2013, 11:30 am	Delivered	PISGAH FOREST, NC 28768
November 2, 2013, 11:09 am	Notice Left	PISGAH FOREST, NC 28768
November 2, 2013, 9:36 am	Out for Delivery	BREVARD, NC 28712
November 2, 2013, 9:26 am	Sorting Complete	BREVARD, NC 28712
November 2, 2013, 8:38 am	Arrival at Unit	BREVARD, NC 28712
November 1, 2013, 9:47 pm	Processed at USPS Origin Sort Facility	ASHEVILLE, NC 28810
November 1, 2013	Depart USPS Sort Facility	ASHEVILLE, NC 28810
November 1, 2013	Depart USPS Sort Facility	CHARLOTTE, NC 28228
October 31, 2013, 10:46 pm	Processed at USPS Origin Sort Facility	CHARLOTTE, NC 28228
October 31, 2013, 9:31 pm	Accepted at USPS Origin Sort Facility	CHARLOTTE, NC 28202
October 31, 2013	Electronic Shipping Info Received	

Track Another Packa

What's your tracking (or receipt) number?

Confirmation Services	Package ID: 9171999991703273493011	E-CERTIFIED
	Destination ZIP Code: 28768	1STCL REGULAR LETTER
	Customer Reference: 231920	
	Recipient: <i>Randall</i> <i>Bob Plumbing Attn: Blythe</i>	PBP Account #: 15704687
	Address: <i>2260 Hendersonville Hwy</i> <i>Pisgah Forest, NC 28768</i>	Serial #: 4384118
		OCT 31 2013 2:23P

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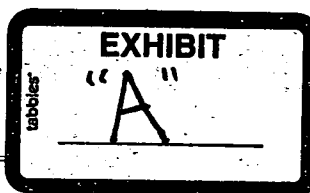
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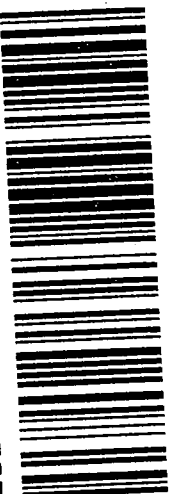
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Attn: Randall Blythe, Its Registered
Agent/President
2260 Hendersonville Hwy.
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301 South College Street
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Charlotte, NC 28202-6037



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UNITED STATES POSTAGE
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Searcy Custom Homes, LLC
Attn: Mark R. Searcy, Its Registered
Agent/Managing Member
2731 Chimney Rock Road
Hendersonville, NC 28792

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DATE & TIME	STATUS OF ITEM	LOCATION
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November 1, 2013, 10:33 am	Out for Delivery	HENDERSONVILLE, NC 28792
November 1, 2013, 10:23 am	Sorting Complete	HENDERSONVILLE, NC 28792
November 1, 2013, 9:51 am	Arrival at Unit	HENDERSONVILLE, NC 28792
November 1, 2013	Depart USPS Sort Facility	ASHEVILLE, NC 28810
November 1, 2013, 6:15 am	Processed at USPS Origin Sort Facility	ASHEVILLE, NC 28810
October 31, 2013	Depart USPS Sort Facility	CHARLOTTE, NC 28228
October 31, 2013	Electronic Shipping Info Received	
October 31, 2013, 7:18 pm	Processed at USPS Origin Sort Facility	CHARLOTTE, NC 28228
October 31, 2013, 6:03 pm	Accepted at USPS Origin Sort Facility	CHARLOTTE, NC 28202

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What's your tracking (or receipt) number?

Confirmation Services	Package ID: 9171999991703273493028	E-CERTIFIED
	Destination ZIP Code: 28792	1STCL REGULAR LETTER
	Customer Reference: 231920	
	Recipient: Searcy Custom Homes, LLC	PBP Account #: 15704687
	Address: A.H. Mark R. Searcy, RA, MM 273 Chimney Rock Rd. Hendersonville, NC 28792	Serial #: 4384118
		OCT 31 2013 2:23P

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Madden, Diana L.

From: Madden, Diana L.
Sent: Thursday, October 31, 2013 3:55 PM
To: jimhoff@wardfirm.com
Cc: Deal, Svend Hewitt
Subject: 231920 Wennerstrom / Tribunal No. 2011-CP-42-000618 / Notice of Appeal Attached
Attachments: NOTICE OF APPEAL(2013-10-31 15-34-54).PDF

Please see Fireman's Fund Insurance Company's courtesy copies of Notice of Appeal and Judgment attached hereto, copies of which are simultaneously being sent to you via regular U.S. Mail.

Diana L. Madden, ACP | Advanced Certified Paralegal | Cozen O'Connor
301 South College Street, Suite 2100 | Charlotte, NC 28202
P: 704.348.3453 | F: 704.334.3351
dmadden@cozen.com | www.cozen.com

 Think before you print



November 7, 2013

VIA UPS NEXT DAY AIR

Svend H. Deal

Direct Phone 704-348-3426

Direct Fax 866-866-0454

sdeal@cozen.com

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

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SC Court of Appeals

Re: *Fireman's Fund Insurance Company v. Searcy Custom Homes, LLC, et al.*
Tribunal Case No.: 2011-CP-42-00618 (Notice of Appeal)
Cozen File No.: 231920 FFIC Claim #: 005-09-591719

Dear Hon. Kitchings:

Enclosed for filing are Appellant's Notice of Appeal with proof of service on Respondents, by U.S. Certified Mail, Delivery Receipt Requested, at their last known address, with a copy to Respondents' attorney; a copy of the tribunal's Judgment of Verdict for the Defendants; and a \$100.00 filing fee, payable to the "Clerk of Court," South Carolina Court of Appeals.

Thank you for your courtesies.

Sincerely,

COZEN O'CONNOR

By: Svend H. Deal

SHD:dIm

Enclosures

cc: Honorable Hope M. Blackley
Jason M. Imhoff, Esquire

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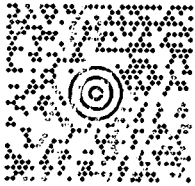



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