

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2012-CP-23-7156

*M* Toyota of Greenville, Inc. .... Appellant,

v.

David Carroll ..... Respondent.

**NOTICE OF APPEAL**

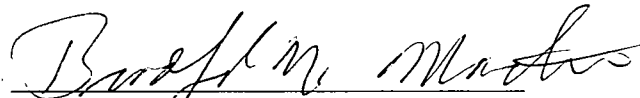
Toyota of Greenville, Inc. appeals that portion of the order of The Honorable Doyet A. Early, III dated October 23, 2013, denying its Motion to Alter or Amend the Court's earlier order filed October 10, 2013, which found that David Carroll is both required to participate in bilateral arbitration and is acting in a representative capacity as a private attorney general. Toyota of Greenville does not appeal the remainder of the October 10<sup>th</sup> Order compelling bilateral arbitration. Copies of both orders are enclosed with this Notice. The parties received notice of the entry of the order denying Defendant's Motion to Alter or Amend on November 5, 2013.

RECEIVED

DEC 09 2013

SC Court of Appeals

December 5, 2013



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**PROOF OF SERVICE**

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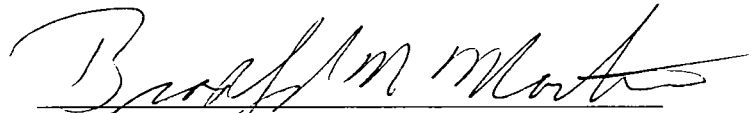
I certify that I have served Appellant's Notice Appeal by depositing a copy in the U.S. Mail, postage prepaid, on December 5, 2013, addressed to Respondent's attorneys, Terry E. Richardson, Jr., Esq., Brady R. Thomas, Esq., James David Butler, Esq., Richardson, Patrick, Westbrook & Brickman, LLC, P.O. Box 1368, Barnwell, South Carolina 29812; A. Camden Lewis, Esq., Lewis & Babcock, LLP, PO Box 11208, Columbia, SC 29211; Gedney M. Howe, III, Esq., Gedney M. Howe, III, PA, Post Office Box 1034, Charleston, South Carolina 29402; Michael E. Spears, Esq., Michael E. Spears, PA, Post Office Box 5806, Spartanburg, South Carolina 29304; and Richard A. Harpootlian, Esq., Richard A. Harpootlian, PA, Post Office Box 1090, Columbia, South Carolina 29211.

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December 5, 2013

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

Re: *David Carroll v. Toyota of Greenville, Inc.*  
C/A No.: 2012-CP-23-7156

Dear Ms. Kitchings:

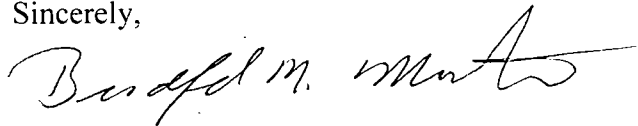
Enclosed for filing please find the original and one copy of Defendant's Notice Appeal in the above matter along with the following:

1. Our firm's check in the amount of \$100.00;
2. Proof of Service;
3. Copy of Oder of October 10, 2013
4. Copy of Order of October 23, 2013
5. Copy of letter to court reporter requesting transcript.

By copy of this letter, we are hereby serving all counsel with same.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Bradford N. Martin

/pm  
Enclosures

cc: Terry E. Richardson, Jr., Esq.  
Brady R. Thomas, Esq.  
A. Cam Lewis, Esq.  
Gedney M. Howe, III, Esq.  
Richard Harpootlian, Esq.  
Michael E. Spears, Esq.

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