

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

70642

The Honorable Clifton Newman, Circuit Court Judge

Case No.: 2011-CP-23-6376

Kevin McCarthy and Courtney E. McCarthy, Appellants,

v.

Keowee Falls Investment Group, LLC, The Cliffs Communities, LLC d/b/a The Cliffs at
Keowee Falls South, Cliffs Real Estate, Inc., The Cliffs Golf and Country Club, Inc. and S&ME,

Of whom

S&ME, Respondent.

MOTION TO CONSOLIDATE

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned attorney, counsel for Appellants, files this motion to consolidate the Notice of Appeal filed at the same time as this motion and Appellate Case No. 2013-001843.

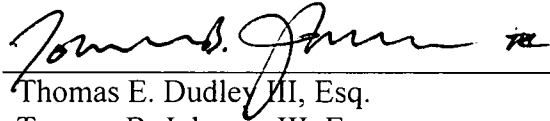
On or about August 22, 2013 Plaintiffs / Appellants Kevin McCarthy and Courtney E. McCarthy ("Appellants") filed a Notice of Appeal regarding the Honorable Clifton Newman's July 22, 2013 Order denying Appellants' Motion to Amend its complaint and assert additional causes of action against Defendant S&ME ("Respondent"). This Court assigned that case Appellate Case No. 2013-001843.

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SC Court of App.

On or about December 3, 2013, the Honorable Clifton Newman issued an Order denying Appellants' Motion to Alter or Amend the Court's July 22, 2013 Order granting Respondent's Motion for Summary Judgment. Appellant, by and through the Notice of Appeal filed herewith, is now seeking an appeal of this December 3rd Order and would respectfully ask that Appellants' appeal of the December 3rd Order be consolidated with Appellate Case No. 2013-001843.



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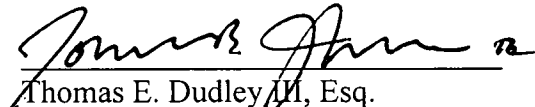
Keowee Falls Investment Group, LLC, The Cliffs Communities, LLC d/b/a The Cliffs at
Keowee Falls South, Cliffs Real Estate, Inc., The Cliffs Golf and Country Club, Inc. and S&ME,
Inc.

Of whom

S&ME, Inc. is Respondent.

PROOF OF SERVICE

Comes now Townes B. Johnson III, and certifies that a copy of Appellants' Motion to Consolidate was served on the opposing party on this 9th day of December, 2013, via 1st Class Mail by placing the same in the U.S. Mail with sufficient postage affixed to Respondent's Counsel of Record, Stephanie H. Burton, Esq., at the following address: 308 East Saint John Street, Spartanburg, SC 29302 and Elizabeth H. McMillan at the following address: P.O. Box 2980, Greenville, SC 29602.



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