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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Charles B. Simmons, Master in Equity
and Special Circuit Court Judge

Appellate Case No. 2025-001522

Synovus Bank, Respondent,

v.

Jeffrey L. Clemens, Appellant.

SUPPLEMENTAL RECORD ON APPEAL

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TRANSCRIPT

Deposition of Jeffery L. Clemens (pages 45-46), February 17, 2025.....80

1 A. Yes.

2 Q. And none of it is related to any sort of
3 equity interest in the club?

4 A. No, ma'am.

5 Q. Do you own any interest in the club?

6 A. No, ma'am.

7 Q. And C328, that's your member number?

8 A. Yes, ma'am.

9 MS. CASKEY: All right. This is Exhibit
10 9.

11 (Whereupon, the court reporter marked Clemens
12 Exhibit Number 9 for identification.)

13 EXAMINATION RESUMED BY MS. CASKEY:

14 Q. All right. I've handed you a document
15 that's a check from Computershare for \$6,145.17.
16 The memo line says, "Cliffs rents," and there's a
17 note on the top that says "Return capital." Is that
18 your handwriting?

19 A. Yes, ma'am.

20 Q. And what is this payment for?

21 A. So my wife and I made a loan back to The
22 Cliffs. It's probably somewhere around 2009 or
23 2010, something like that, towards building the golf
24 course, that kind of stuff at Mount Park, and they
25 were supposed to pay back the capital plus interest.

1 And then about 18 months after we did the loans,
2 they went into bankruptcy.

3 Q. So the loan was directly to The Cliffs?

4 A. Yes.

5 Q. Is there any amount that's still owed to
6 you by this entity that's handling The Cliffs
7 bankruptcy?

8 A. That was that \$60,000, \$70,000 that you
9 asked me about.

10 Q. The ITSPE?

11 A. Yes, ma'am.

12 Q. Okay. And so this same entity, this
13 Computershare is, for all intents and purposes, the
14 same as ITSPE?

15 A. The ITSPE is actually the noteholder's
16 trustee, I think you might call it. But
17 Computershare actually issues the checks on behalf
18 of the ITSPE or something like that.

19 MS. CASKEY: Okay. I'll hand you what
20 we'll mark as Exhibit 10.

21 (Whereupon, the court reporter marked Clemens
22 Exhibit Number 10 for identification.)

23 EXAMINATION RESUMED BY MS. CASKEY:

24 Q. So this is an order that was entered into
25 in this case in 2021. Do you recall this charging