

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Circuit Court Judge

Case No. 2009-CP-07-6054
Appellate Case No. 2013-001407

Cynthia Griffis,		Plaintiff,
	v.	
Cherry Hill Estates, LLC, Eugene O'Neil and and Ronald Faulkner,		Defendants,
Of whom Cherry Hill Estates, LLC and Ronald Faulkner are		Appellants.
Cherry Hill Estates, LLC and Ronald Faulkner,		Third Party Plaintiffs,
	v.	
Anthony E. Griffis,		Respondent.

APPELLANTS' RETURN TO RESPONDENT'S MOTION TO CORRECT AND
SUPPLEMENT RECORD ON APPEAL

RECEIVED

JAN 06 2014

Michael W. Mogil
Mogil Law Firm
2 Corpus Christie Place, Ste. 303
Hilton Head Island, SC 29928
(843)785-8110

SC Court of Appeals

Attorney for Appellants

AND NOW COME the Appellants, Cherry Hill Estates, LLC and Ronald Faulkner, by and through undersigned counsel, and, pursuant to Rule 240(e) of the South Carolina Appellate Court Rules, in response to Respondent's Motion to Correct and Supplement Record on Appeal ("Respondent's Motion"), state as follows:

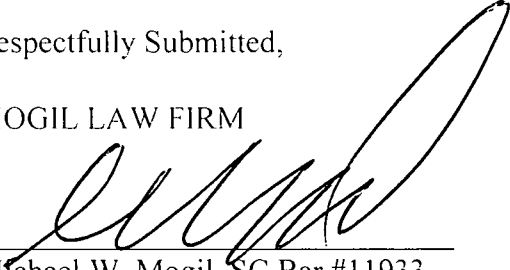
1. Contemporaneously with the filing and service of this Return, the Appellants have filed and served a Supplemental Record on Appeal ("Supplemental Record").
2. The Supplemental Record contains the pages from John Qualey's deposition so designated by the Respondent.
3. The Supplemental Record also contains pages from the depositions of Eugene O'Neil and Ronald Faulkner which were initially left out of the Record on Appeal through inadvertence, but which are cited in the Appellants' Final Brief and/or Final Reply Brief. Appellants aver that these pages are properly included in the Supplemental Record pursuant to this Honorable Court's Order granting Appellants' Motion to Amend Initial Brief and Designation of Matter, filed December 12, 2013.
4. The Supplemental Record does not contain the item designated No. 11 by the Respondent, the Affidavit of Service of Third Party Complaint. After consultation with Respondent and a review of the case record on file in the office of the Clerk of Court, Beaufort County Court of Common Pleas, Appellants are informed and believe that no such document was filed or served in the case below. To the extent that it may serve to advance the adjudication of the within appeal, Appellants hereby stipulate that they served the Third Party Complaint upon Mr. Griffis, in person, on or about July 30, 2010.

Signed on next page.

Dated: January 2, 2014

Respectfully Submitted,

MOGIL LAW FIRM



Michael W. Mogil, SC Bar #11933
2 Corpus Christie Place, Ste. 303
Hilton Head Island, SC 29928
Tel. 843-785-8110
Attorney for Appellants

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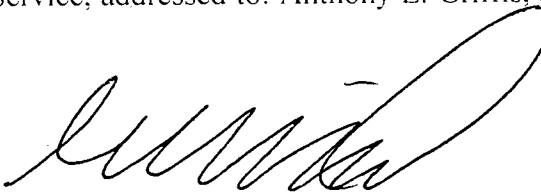
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Anthony E. Griffis,		Respondent.

CERTIFICATE OF SERVICE

I, Michael W. Mogil, the undersigned counsel to the Appellants Cherry Hill Estates, LLC and Ronald Faulkner, hereby certify that on January 2, 2014, I served true and accurate copies of the Return to Motion and Supplemental Record on Appeal in the above matter by depositing same with the U.S. Postal Service, addressed to: Anthony E. Griffis, 355 Park Avenue SW, Aiken, SC 29801.

January 2, 2014
Hilton Head Island, SC



Michael W. Mogil (SC Bar #11933)
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January 2, 2014

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

Re: Cynthia Griffis v. Cherry Hill
Appellate Case No. 2013-001407

Dear Ms. Kitchings,

Enclosed for filing in the above-referenced matter, please find the following:

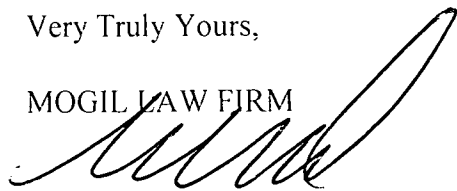
- **Original and six (6) copies of Appellants' Return to Motion;**
- **Original and fourteen (14) copies of a Supplemental Record on Appeal; and**
- **Original and one (1) copy of a Certificate of Service.**

I am requesting that the copy of the Certificate of Service be time-stamped and returned to my office using the enclosed, self-addressed envelope.

Thank you for your attention in this matter.

Very Truly Yours,

MOGIL LAW FIRM



Michael W. Mogil

Cc: Anthony E. Griffis
355 Park Avenue SW
Aiken, SC 29801

RECEIVED

JAN 06 2014

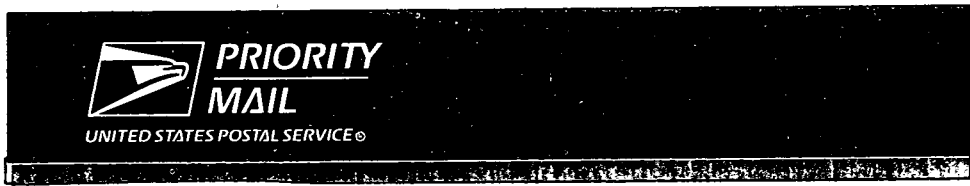
SC Court of Appeals

VICE



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 JAN 06 2014
 SC Court of Appeals

From



www.usps.com

From Law Office of Michael W. Mogil, P.A.
 2 Corpus Christie Place, Ste. 303
 The Professional Building
 Hilton Head Island, SC 29928

TO THE HONORABLE JENNY ABBOT HICKINGS
 CLERK OF COURT
 SOUTH CAROLINA COURT OF APPEALS
 P.O. Box 11629
 Columbia, SC 29211

Label 228, February 2006

