

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS  
MIKELL R. SCARBOROUGH, MASTER-IN-EQUITY FOR CHARLESTON COUNTY

CASE NO.: 2011-CP-10-09259

70881

U.S. BANK, N.A., as Trustee, successor to  
Wells Fargo Bank, N.A., as Trustee for the  
registered holders of Wachovia Bank  
Commercial Mortgage Trust, Commercial  
Mortgage Pass-Through Certificates, Series  
2003-C9, acting by and through Special Servicer  
CWCAPITAL ASSET MANAGEMENT, LLC. ....Plaintiff.

v.

COLLINS PARK HOLDINGS,LLC,  
JEFFREY C. CHASTAIN, MARSHA E.  
CHASTAIN, TRACY R. WIMMER, NETWORK  
COMMUNICATIONS, INC. dba Apartment Finder,  
CHADWELL SUPPLY SOUTH CAROLINA, INC.  
And CHARLESTON COUNTY BUSINESS LICENSE/  
USER FEE DEPARTMENT. .... Defendant,

Of whom:

COLLINS PARK HOLDINGS,LLC,  
JEFFREY C. CHASTAIN, and MARSHA E.  
CHASTAIN. .... Appellants,

and

U.S. BANK, N.A., as Trustee, successor to  
Wells Fargo Bank, N.A., as Trustee for the  
registered holders of Wachovia Bank  
Commercial Mortgage Trust, Commercial  
Mortgage Pass-Through Certificates, Series  
2003-C9, acting by and through Special Servicer  
CWCAPITAL ASSET MANAGEMENT, LLC. .... Respondents.

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JAN 07 2014 JAN 06 2014  
SC Court of Appeals SC Court of Appeals

NOTICE OF APPEAL

Collins Park Holdings, LLC, Jeffrey C. Chastain and Marsha E. Chastain hereby jointly and collectively appeal the Order of Judgment, Decree of Foreclosure and Appointment of Receiver (hereinafter "Order") of the Honorable Mikell R. Scarborough dated May 16, 2013, and filed with the Clerk of Court on that same date. A copy of the aforementioned Order is attached hereto. Defendants/Appellants received written notice of the Order on or about May 16, 2013. Thereafter, on or about May 17, 2013, Defendants/Appellants filed for protection/bankruptcy in the United States Bankruptcy Court for the District of South Carolina. As a result, Defendants/Appellants became debtors-in possession and the matter proceeded forward in the United States Bankruptcy Court.

On December 20, 2013, the United States Bankruptcy Court directed that the automatic stay be lifted. Defendants/Appellants, as debtors and/or debtors-in-possession, take the position that the bankruptcy action continued the proceedings against them and accordingly, stayed the appeals deadline set forth in Rule 203(b)(1) of the South Carolina Appellate Court Rules. Thus, the deadline for filing this Notice of Appeal was thereby extended pursuant to the relevant bankruptcy statute, for a period of thirty (30) days after notice or expiration of the automatic stay. Defendants/Appellants received the aforementioned order of the bankruptcy court on or about December 23, 2013.

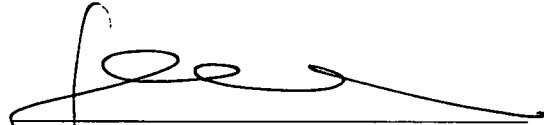
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Thus, Collins Park Holdings, LLC, Jeffrey C. Chastain and Marsha E. Chastain hereby jointly and collectively appeal the Order of Judgment, Decree of Foreclosure and Appointment of Receiver set forth herein.

Dated: January 3, 2004



Jessica Salvini, Esq.  
J. Bradley Bennett, Esq.  
Attorney for Appellants

Other Counsel of Record:  
Brent B. Young, Esq.  
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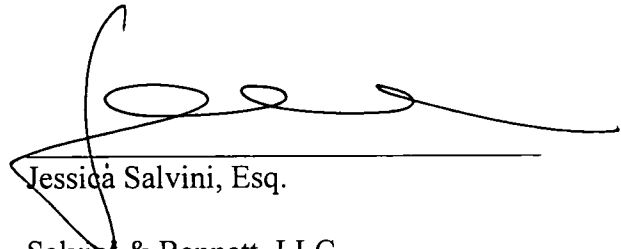
PROOF OF SERVICE

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I certify that I have served Appellants' Notice of Appeal by depositing a copy of it in the United States Mail, postage prepaid, on January 3, 2014, addressed to:

**Brent B. Young, Esq.**  
**BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC**  
**P.O. Box 3038**  
**Johnson City, TN 37602**

January 3, 2014



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January 3, 2014

Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**IN THE MATTER OF:**      *Appeal In The Matter of:*

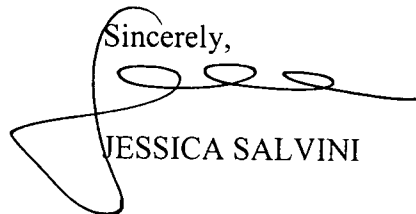
*U.S. Bank, N.A., et. al., vs. Collins Park Holdings, LLC,  
et. al et al., Case No.: 2011-CP-10-09259*

Dear Clerk of Court,

Enclosed please find Appellant's, Notice of Appeal (the original and 2 copies) and the proof of service of thereof, for filing in the above referenced case. I have also enclosed a check in the amount of \$100.00 for the filing fee and an envelope herein, with postage prepaid thereon, for you to return a filed copy back to me.

Thank you for your assistance with this matter, it is greatly appreciated.

Sincerely,



JESSICA SALVINI

cc: Brent B. Young, Esq.  
Jeffrey Chastin

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JAN 06 2014

SC Court of Appeals