

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM LAURENS COUNTY
Court of Common Pleas

17 2432

The Hon. Charles B. Simmons, Special Referee

Case No. 2011-CP-30-00583

Certus Bank, N. A.,.....Appellant,

v.

Kenneth E. Bennett, Twin Rivers Resort, LLC and
Bennett of Greenwood, LLC,..... Defendants,

Of whom Twin Rivers Resort, LLC is.....Respondent.

Notice of Appeal

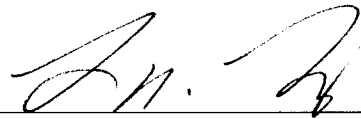
Certus Bank, N.A., by and through its undersigned counsel, hereby appeals the Order of the Honorable Charles B. Simmons, Jr., Special Referee for Laurens County, dated April 14, 2014, entered April 16, 2014, which granted in part Respondent's motion for summary judgment by dismissing Appellant's ratification cause of action and Judge Simmons' Order dated May 8, 2014, entered May 12, 2014 denying Appellant's motion pursuant to SCRCP 59(e) to alter or amend the Court's partial grant of summary judgment.

Appellant timely filed its SCRCP 59(e) motion on April 28, 2014 and the Order denying it's Rule 59(e) motion was entered May 12, 2014.

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SC Court of Appeals



CALLISON TIGHE & ROBINSON, LLC
Louis H. Lang, Esq. (SC Bar #03127)
Callison Tighe & Robinson, LLC
1812 Lincoln St., Ste. 200
PO Box 1390
Columbia SC 29202-1390
Telephone: (803) 404-6900
Facsimile: (803) 404-6902
E-mail: louislang@callisontighe.com
Counsel for the Appellant

June 9, 2014

Columbia, South Carolina

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The Hon. Charles B. Simmons, Special Referee

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Bennett of Greenwood, LLC,..... Defendants,

Of whom Twin Rivers Resort, LLC is.....Respondent.

PROOF OF SERVICE

I, Crystal Smith, an employee of Callison Tighe & Robinson LLC, Attorneys for the Appellant, do certify I have served a copy of the **Notice of Appeal**, on counsel for defendants and respondent by depositing a copy of it in the United States Mail, postage prepaid, on June 9, 2014, addressed to their attorneys of record, at the following addresses:

*Counsel for Defendants, Kenneth E. Bennett
and Bennett of Greenwood, LLC:*

W. Reid Cox, Jr., Esq. (SCBAR#1443)
COX & FERGUSON
PO Box 286
Laurens SC 29360

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SC Court of Appeals

Counsel for Respondent, Twin Rivers Resort, LLC:

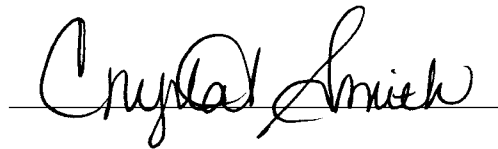
T. S. Stern, Jr., Esq.

V. Elizabeth Wright, Esq.

COVINGTON PATRICK HAGINS STERN & LEWIS, P.A.

PO Box 2343

Greenville SC 29602

A handwritten signature in black ink, reading "Crystal Smith", is written over a horizontal line. The signature is cursive and fluid.

June 9, 2014

Columbia, South Carolina

LOUIS H. LANG – Member

Direct Dial: 803-404-6963

LouisLang@callisontighe.com

June 9, 2014

Hon. Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia SC 29211

Re: CertusBank, N.A. v. Kenneth E. Bennett, Twin Rivers Resorts, LLC and Bennett of Greenwood, LLC
Case No: 2011-CP-30-00583
CTR No: 1026.024

Dear Ms. Kitchings:

Enclosed for filing is a Notice of Appeal in the above case. Also enclosed are the following:


1. Proof of Service of the Notice of Appeal on the Respondent;
2. A copy of the Orders which are to be challenged on appeal; and
3. A filing fee of \$100.00.

Please file the originals and return a clocked copy of each to me. By copy of this letter, I am serving a copy of the foregoing upon counsel of record.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC



Louis H. Lang

LHL/cs

Enclosures

cc: W. Reid Cox, Jr., Esq. (w/ encl.)
E. Zachary Horton, Esq. (w/ encl.)
T.S. Stern, Jr., Esq. (w/ encl.)
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