

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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AUG 05 2014

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

**SC Court of Appeals**

73097

James B. Jackson, Jr., Special Circuit Judge

Common Pleas Case Nos. 2007-CP-38-196 & 2007-CP-38-201

First Citizens Bank and Trust Company,.....Appellant/Respondent,

v.

Clyde B. Livingston; Technico Marketing & Distribution, Inc.; B. Livingston and Charlotte V. Livingston; American First Federal Inc.; Citibank South Dakota, N.A.; Branch Banking and Trust Company of South Carolina; G&G Rentals; Miller Communications, Inc.; and Wells Fargo Bank, N.A., Defendants,

And

First Citizens Bank and Trust Company,.....Appellant/Respondent,

v.

Clyde B. Livingston; American First Federal Inc.; Citibank South Dakota, N.A.; Branch Banking and Trust Company of South Carolina; G&G Rentals; Miller Communications, Inc.; and Wells Fargo Bank, N.A., Defendants,

Of Clyde B. Livingston is the.....Respondent/Appellant.

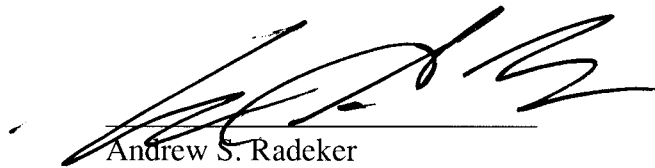
NOTICE OF CROSS-APPEAL

Clyde B. Livingston (hereinafter "Appellant") appeals from the order of the Honorable James B. Jackson, Jr., filed April 17, 2014, that granted the Appellant/Respondent's motion for summary judgment as to Appellant's Unfair Trade Practices Act claim, and the order of Honorable James B. Jackson, Jr., filed July 9, 2014, that denied Appellant's motion to reconsider that order. Copies of these orders are attached hereto. Appellant received written notice of the entry of the first

of these orders on April 23, 2014, and received written notice of the second of these orders on July 11, 2014.

July 29, 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. S. Radeker', is written over a horizontal line.

Andrew S. Radeker  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

Other Counsel of Record:

Erik T. Norton, Esq.  
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P.O. Box 11070  
Columbia, South Carolina 29201  
Attorney for Respondent

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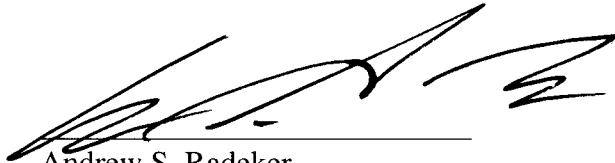
PROOF OF SERVICE

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I certify that I served the foregoing notice of appeal by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

Erik T. Norton, Esq.  
Nelson Mullins Riley & Scarborough LLP  
P.O. Box 11070  
Columbia, SC 29201

July 29, 2014

A handwritten signature in black ink, appearing to read 'Andrew S. Radeker', is written over a horizontal line.

Andrew S. Radeker  
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Post Office Box 50143  
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(803) 779-2211  
Attorney for Appellant

LAW OFFICES  
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James C. Harrison, Jr.\*  
Andrew S. Radeker  
Taylor M. Smith IV

\* Mediator/Arbitrator

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(803) 779-2211  
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August 4, 2014

**VIA HAND DELIVERY**

The Hon. Jenny Abbott Kitchings  
Clerk of Court, Court of Appeals of South Carolina  
Edgar Brown Building  
1205 Pendleton Street  
Columbia, South Carolina 29201

**Re: First Citizens Bank, etc. v. Clyde B. Livingston, et al.**  
**Common Pleas Case Nos.: 2007-CP-38-196 & -201**  
**Appellate Case No. 2014-001634**


Dear Ms. Kitchings:

Enclosed herewith for filing an original and one copy of a notice of cross-appeal in the above-referenced case, along with proof of service of the same and a copy of my correspondence to the court reporters ordering transcripts.

Kindly file these documents and return a file-stamped copy thereof to the bearer of this letter. The filing fee of \$100.00 accompanies this letter. Thank you for your attention to this matter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,  
**HARRISON & RADEKER, P.A.**



Andrew S. Radeker

ASR/

Enclosures

cc: Erik T. Norton, Esq.

**RECEIVED**

AUG 05 2014

**SC Court of Appeals**