

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

R. Markley Dennis, Jr., Presiding Judge, Ninth Judicial Circuit

Case No. 2012-CP-10-01844

Deutsche Bank National Trust Company, as
Trustee of the IndyMac IMJA Mortgage
Trust 2007-A2, Mortgage Pass-Through
Certificates, Series 2007-A2 under the
Pooling and Servicing Agreement dated
August 1, 2007, and OneWest Bank FSB,
including its division known as Indy Mac
Mortgage Services,

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AUG 21 2014

SC Court of Appeals

Appellants,

v.

Thomas C. Stevenson III and Irven M.
Stevenson,

Respondents.

NOTICE OF APPEAL

Appellants Deutsche Bank National Trust Company, as Trustee of the IndyMac IMJA Mortgage Trust 2007-A2, Mortgage Pass-Through Certificates, Series 2007-A2 under the Pooling and Servicing Agreement dated August 1, 2007, and OneWest Bank FSB, including its division known as Indy Mac Mortgage Services, by and through their undersigned counsel, appeal the Form 4 order of the Honorable R. Markley Dennis, Jr., filed July 31, 2014, which

Deutsche Bank National Trust Company, etc.
v. Thomas C. Stevenson III et al.
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granted Defendants/Respondents' Stevensons' Motion to Transfer this action to the jury trial roster, which appeal shall also include the full-length, formal order of Judge Dennis, filed August 14, 2014, reflecting his Honor's rulings on the same motion.

Appellants received notice of entry of judgment for the July 31, 2014 order on August 6, 2014, and received notice of the entry judgment for the August 14, 2014 order on August 14, 2014.

Appellants posit that the service of this Notice of Appeal shall act to automatically stay the matters decided in the aforementioned orders and to automatically stay the relief set forth in said orders, and that such automatic stay shall continue in effect for the duration of the appeal. Rule 241(a), SCACR.

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Deutsche Bank National Trust Company, etc.
v. Thomas C. Stevenson III et al.
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August 19, 2014

Respectfully submitted,



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Carolina nka Synovus Bank (not a Respondent to
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*Attorney for Defendant SC Department of
Revenue (not a Respondent to this appeal)*

¹ Deutsche Bank and OneWest Bank/IndyMac are not adverse and have no claims against one another. This action includes a third party complaint by Defendants Stevenson against OneWest Bank/IndyMac. The caption apparently evolved to its current form following court orders by the U.S. District Court prior to remand as well as the Court of Common Pleas for Charleston County following remand. Plaintiff submits that the caption currently in use incorrectly blends the captions of the first party and third party complaints, which is not what any court order would have required or intended, but nonetheless it has not been corrected and has been in use by all counsel for more than two years.

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APPEAL FROM CHARLESTON COUNTY

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Case No. 2012-CP-10-01844

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Trustee of the IndyMac IMJA Mortgage
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SC Court of Appeals

Appellants,

v.

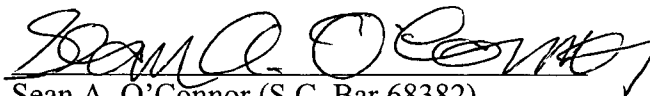
Thomas C. Stevenson III, Irven M.
Stevenson,

Respondent(s).

PROOF OF SERVICE

I certify that on the 19th day of August 2014, I served the *Notice of Appeal* on J. Rutledge Young, Jr., Esq. of Duffy & Young, LLC, attorney of record for Respondents, Thomas M. Stevenson and Irven M. Stevenson; Tara E. Naufal, Esq., of Adams and Reese, LLP, attorney of record for Defendant National Bank of South Carolina n/k/a Synovus Bank (not a Respondent to this appeal) and Milton G. Kimpson, Esq., attorney for Defendant South Carolina Department of Revenue (not a Respondent to this appeal), by depositing a copy in the U.S. Mail, postage prepaid, to their offices at 96 Broad Street, Charleston, South Carolina 29401, 211 King Street, Suite 330, Charleston, South Carolina 29401, and Post Office Box 12265, Columbia, South Carolina 29211, respectively.

[SIGNATURE ON FOLLOWING PAGE]



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August 19, 2014

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REPLY TO:
CHARLESTON LITIGATION

August 19, 2014

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: *Deutsche Bank National Trust Company, as Trustee of the IndyMac IMJA Mortgage Trust 2007-A2, Mortgage Pass-Through Certificates, Series 2007-A2 under the Pooling and Servicing Agreement dated August 1, 2007, and OneWest Bank FSB, including its division known as Indy Mac Mortgage Services v. Thomas C. Stevenson III and Irven M. Stevenson*
Civil Action No.: 2012-CP-10-01844 – Charleston County Court of Common Pleas
Our File No.: 52310.47707

Dear Ms. Kitchings:

Enclosed please find a *Notice of Appeal* and the related *Proof of Service* which needs to be filed on connection with the above referenced matter. I have also enclosed two (2) additional copies of the *Notice of Appeal* and *Proof of Service* which we would request that you file-stamp and return in the enclosed envelope.

I have enclosed check number 5701 in the amount of \$100.00 for the filing fee.

If you have any questions or concerns, please contact me at your convenience.

With kind personal regards, I am

Sincerely,

Jennifer L. Ellis
Litigation Paralegal

:jle
Enclosure

cc: J. Rutledge Young, Jr., Esq. (w/encl.)
Tara E. Naufal, Esq. (w/encl.)
Milton E. Kimpson, Esq. (w/encl.)

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SC Court of Appeals

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