

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

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SC Court of Appeals

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

**APPELLANTS' RETURN TO RESPONDENTS'
MOTION TO DISMISS**

Respondents have moved to dismiss the above-captioned appeal, as well as three (3) other separate but related appeals,¹ alleging that Appellants have failed to comply with Rule 203(b)(1) SCACR. In essence, Respondents contend that the Appellants received written

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See *Davis, et al. vs. Roosevelt Gardens Apartments, et al.* Case # 2010180086; *Davis et al. vs. Parkview Apartments, et al.*, Case # 21010180666; and *Davis, et al. vs. Palmetto Apartments, et al.*, Case # 2010180087.

notice of entry by the Charleston County Clerk of Court of an order which is involved in these appeals, and that such notice triggered the time in which Appellants had to file notices of appeal in the other cases, which involved other parties and were pending in separate counties. Appellants believe that the position taken by the Respondents in this regard is without merit, and lacks both factual and legal support. This Return and the Memorandum of Law contained herein is submitted in support of Appellants' position. Accordingly, for the reasons hereinafter provided, Respondents' motion should be denied.

FACTUAL BACKGROUND

The above-captioned appeal, together with the three (3) related appeals referenced above, and an additional related but separate appeal,² arises out of civil cases filed in the Circuit Courts of three (3) counties in this State, *i.e.*, Beaufort County, Charleston County and Orangeburg County. The Appellants in these cases are limited partners in five (5) separate limited partnerships; they have asserted legal claims in five (5) separate actions against their general partners, who are the Respondents in these appeals. Each of the limited partnerships owned separate apartment complexes located in each of the counties referenced above, as well as in Allendale County.³ Some of the limited partners held interests in more than one of the limited partnerships, and some held an interest in only one of the limited partnerships, but *none* of the limited partners held interests in *all* of the partnerships.

² See *Rentz, et al. vs. Orleans Gardens, et al.*, Case Tracking # 2010176826.

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Carolina Management, et al., vs. Pinewood Park Apartments, et al., Case Tracking # 2010180088, involves an apartment complex located in Allendale County, although the case was filed in Beaufort County.

Accordingly, the Appellants in each of the cases under appeal are different. Likewise, the properties involved in each of the appeals are different. While all appeals involve claims against the general partners for breach of their fiduciary duties, among other causes of action, each case has specific facts and circumstances which are applicable only to it and not to the other cases.

Approximately one (1) year after all five (5) cases had been filed and were pending in Beaufort, Charleston and Orangeburg Counties, South Carolina Supreme Court Chief Justice Jean H. Toal issued an order dated March 7, 2006 which assigned Circuit Court Judge Doyet A. Early, III “to hear and decide all pre-trial motions and other matters pertaining to these cases, including the trial and post-trial motions.” The cases were not consolidated by Justice Toal’s order, nor were they ever consolidated by an order issued by Judge Early. They were simply assigned to “a single circuit judge” in order to “promote the effective and expeditious disposition of this litigation” and to “conserve the resources of the parties, their counsel, and the judiciary.”⁴

Following assignment of the cases to Judge Early, he presided over various hearings relating to motions filed by counsel for the respective parties and issued several orders reflecting his rulings. As a general rule, the orders were then sent by Judge Early to the Clerks of Court for filing in the counties in which the actions were pending, and for service upon “all interested parties.”⁵ In some cases, but not always, the respective Clerks of Court

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See Order of Chief Justice Toal dated March 7, 2006, attached as Exhibit A to Respondents’ Memorandum in Support of Motion to Dismiss.

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See, *e.g.*, correspondence from Judge Early to each of the Clerks of Court dated October 7,

then provided counsel with written notice of the entry of the orders, once they were filed in the respective counties.⁶

With respect to the orders relevant to the Respondents' Motion to Dismiss, Judge Early issued a series of orders, prepared by counsel for the Respondents, which (a) required the Appellants to produce and/or disclose communications with their counsel deemed by them to be privileged and/or protected, and (b) found deficiencies in Appellants' responses to Respondents' discovery requests. The effect of these orders was to place the Appellants in the untenable position of either complying with the orders, which would require forfeiture of their right to privileged communications with their counsel, or to resist compliance with the orders, which would place them in the position of being in contempt of court. Appellants sought intermediate relief in the appellate courts, but the Respondents asserted that the issues were premature. The appellate courts determined that the relief sought was interlocutory and therefore not ripe for appellate review.⁷ Judge Early then issued a twenty-eight (28) page order dated April 6, 2010, again prepared by counsel for the Respondents, which found Appellants in contempt for their failure to comply with his prior orders and dismissed all five (5) pending cases as a sanction for such contempt.⁸

2010 and October 22, 2010, attached hereto as Exhibit 1.

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See , *e.g.*, notices of entries attached hereto as Exhibit 2.

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See, *e.g.*, the letter of December 2, 2009, from the Clerk of the South Carolina Court of Appeals to Respondents' counsel, which granted Respondents' motion to dismiss the appeals, a copy of which is attached hereto as Exhibit 3. It should be noted that *this letter was sent to the clerks of court in all three counties - Beaufort, Charleston and Orangeburg.*

⁸ See Exhibit B to Respondents' Memorandum in Support of Motion to Dismiss.

Appellants timely filed a Rule 59 motion, seeking relief from the Order of April 6, 2010. On September 16, 2010, Judge Early issued an Order which denied the relief requested by Appellants in their Rule 59 motion.⁹ That same date, Judge Early sent the order to the Clerks of Court for Orangeburg, Charleston and Beaufort Counties for filing and transmittal to “all interested parties.”¹⁰

On October 1, 2010, counsel for Appellants received written notice from the Charleston County Clerk of Court of the entry of the order denying their Rule 59 motion in *Rentz, et al. vs. Orleans Gardens, et al.*¹¹ On October 28, 2010, a Notice of Appeal in *Rentz, et al. vs. Orleans Gardens, et al.* was timely filed with the Clerk of this Court and with the Clerk of the Charleston County Court of Common Pleas, in accordance with Rules 202 and 203, SCACR.

On November 29, 2010, counsel for Appellants received written notice from the Beaufort County Clerk of Court of the entry of the order denying their Rule 59 motion in *Davis, et al. vs. Palmetto Apartments, et al., Davis, et al. vs. Parkview Apartments, et al.* and *Carolina Management Corporation, et al. vs. Pinewood Park, et al.*¹² This was the first

⁹ See Exhibit D to Respondents’ Memorandum in Support of Motion to Dismiss.

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See Judge Early’s letters of September 16, 2010 to the Clerks of Court attached hereto as Exhibit 4.

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See notice of entry of judgment/order from the Charleston County Clerk of Court attached hereto as Exhibit 5.

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See Exhibit 9 of the Notices of Appeal previously filed with this Court in the *Palmetto, Parkview* and *Pinewood* cases.

notice - written or otherwise - to Appellants' counsel that the Order had, in fact, been entered in Beaufort County. On December 3, 2010, Notices of Appeal were timely filed with the Clerk of this Court and with the Clerk of the Beaufort County Court of Common Pleas, in accordance with Rules 202 and 203, SCACR.

Also on November 29, 2010, a staff member of counsel for Appellants received a telephone call from Cathy Wilson from the office of the Orangeburg County Clerk of Court in response to an inquiry from Appellants' counsel as to whether or not Judge Early's order had ever been received or filed in Orangeburg County. The staff member was informed by Ms. Wilson that the Orangeburg County Clerk of Court had not received the order. To date, counsel for Appellants have never received written notice from the Orangeburg County Clerk of Court, or from any other source, that the order denying Appellants' Rule 59 motion in *Davis, et al. vs. Roosevelt Gardens, et al.* has been entered in Orangeburg County.¹³ Notwithstanding the lack of receipt of written notice of the entry of the order in the Roosevelt case, in an abundance of caution, a Notice of Appeal was filed with the Clerk of this Court and with the Clerk of Orangeburg County Court of Common Pleas on December 3, 2010.

ISSUE INVOLVED

Does receipt of written notice of the entry by the Clerk of Court in one county of a single order issued with multiple captions reflecting cases pending in three (3) separate counties trigger the time for filing a notice of appeal with respect to the cases pending in the other counties?

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See Affidavits of Jennifer Clark (the original of which is being submitted in the Roosevelt case) and Thomas A. Pendarvis which are submitted in support of this return.

LEGAL ARGUMENTS AND CITATION OF AUTHORITIES

Appellants believe that the Respondents' Motion to Dismiss should be denied for the following reasons:

1. The motion does not comply with the South Carolina Appellate Court Rules concerning motions filed with this Court. Respondents' motion to dismiss is based upon a highly technical and strained interpretation of Rule 203(b)(1), SCACR. Ironically, if this approach is used to examine the motion itself, it appears that the motion does not meet the requirements of Rule 240, SCACR. Subsection (a) of Rule 240 specifically "governs all motions ... filed in the appellate court, including but not limited to: ... motions to ... dismiss..." Subsection (c)(3) of the rule states as follows:

Each motion... *shall* include the following:

(3) Where the Record on Appeal or Appendix has not been filed, or where the facts relied upon in support of the motion are not contained in the Record on Appeal or Appendix, the parties *shall file affidavits* and other documents in support of their positions. (Emphasis added.)

Neither the Record on Appeal nor the Appendix has been filed in any of the appeals addressed by the Respondents' motion. Accordingly, the language of Rule 240(c)(3) clearly requires the filing of "affidavits and other documents" in support of Respondents' motion. While Respondents' motion and memorandum contain "other documents," they do not contain any "affidavits." The rule is written in the conjunctive sense, *i.e.*, *both* "affidavits *and* other documents" are required to be filed when the Record on Appeal or the Appendix has not been filed. Having failed to provide an affidavit, the Respondents have failed to comply with the clear language of the rule.

Furthermore, the requirements of the rule are clearly mandatory, not discretionary; use of the word “shall” was obviously deliberate, and should be given its ordinary mandatory meaning. This is evident from a review of the rule in its entirety, as the authors of the rule used the term “may” in other portions of the rule in order to denote situations wherein conduct is deemed to be discretionary as opposed to mandatory.¹⁴

Accordingly, the motion to dismiss should be denied on the basis that it fails to meet the mandatory requirements of Rule 240 SCACR.

2. Notwithstanding the technical deficiencies of the Respondents’ motion, the Appellants believe that the motion should also be denied on the merits, as it seeks to advance a position which is contrary to the spirit and language of the South Carolina Appellate Court Rules and applicable law, the intent and construction of the governmental system in this State and the traditional concepts of justice, fairness and equity inherent in our judicial system. The premise of the Respondents’ Motion to Dismiss is that receipt by the Appellants’ counsel of the notice of entry of the order of Judge Early dated September 16, 2010 by the Charleston County Clerk of Court triggered the time by which all cases referenced in the order had to be appealed. This premise is not supported by the law of this State.

While receipt of written notice of the entry of Judge Early’s order by the Charleston County Clerk of Court would trigger the time for perfecting any appeal with respect to any cases filed in Charleston County which were covered by the order, it should not trigger the

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See, e.g., Subsection (d): “... court *may* relieve a party ...”; Subsection (e): “... *may* be deemed a consent...”; Subsection (g): “... *may* be deemed an abandonment...”; and Subsection (j): “... an individual judge or justice *may* grant or deny...”

time for perfecting the appeals in cases pending in other counties. It should initially be noted that the Respondents' contention is at odds with the manner in which the five (5) cases were historically treated by the circuit court judge. As previously stated herein, it was Judge Early's practice to send his orders to *each* of the three (3) clerks of court where the cases were pending, with instructions for the filing or entry of the orders in those counties; he did not just send them to the clerk of court in Charleston. He apparently recognized, as Respondents' counsel evidently does not, that the jurisdiction and authority of the Charleston County Clerk of Court only extended to the boundaries of Charleston County.

With respect to the subject orders, Judge Early's law clerk notified all counsel *via* e-mail on April 6, 2010 that the judge had signed the Respondents' proposed order dismissing Appellants' cases, and specifically stated that it "will be mailed *to the respective clerks of court* today." (Emphasis added)¹⁵ When Judge Early subsequently denied the Appellants' Rule 59 motion concerning the April 6th order, he again transmitted his order of denial to *each of the three (3) clerks of court* for filing and service on "all interested parties."¹⁶ Judge Early obviously recognized that, even though he had signed a single order, it nevertheless had to be filed in *each* case and in *each* of the counties in which the actions to which the order applied were pending. As will be hereinafter discussed, this was necessary for the orders to be final orders or judgments as to each pending case under South

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See E-mail from Britton All, Law Clerk to Judge Early, dated April 6, 2010, and attached hereto as Exhibit 6.

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See letters from Judge Early to Beaufort, Charleston and Orangeburg County Clerks of Court attached hereto as Exhibit 4.

Carolina law. Appellants could not appeal from the orders otherwise, as they would lack finality. Each case, in other words, was separate and distinct and required separate filings of documents relative to it.

Furthermore, just because Judge Early sent orders to the respective clerks of court at the same time does not mean that they were received or entered on the same date by each of the clerks. Likewise, the entry of an order by a clerk did not always result in immediate written notification of that fact to counsel; as shown above, there were times when a clerk of court did not even acknowledge having received an order, much less having filed it or provided any notice to counsel. To assert, as Respondents seem to claim in their motion, that filing in Charleston County equates to filing in Beaufort and Orangeburg counties, is an illogical and unsupported stretch which this Court should summarily reject.

Appellants acknowledge receiving written notice of the entry of the subject order by the Charleston County Clerk of Court on October 1, 2010; however, that written notice clearly only confirmed the entry of the order in Charleston County and only applied to the one case which had been filed there.¹⁷ The only case referenced in the order which was pending in Charleston County was the *Rentz, et al. vs Orleans Gardens, et al.* case, and the written notice *on its face* was confined to that case only. Appellants timely served and filed a Notice of Appeal in the *Orleans Gardens* case, and waited for confirmation of the entry by the other clerks of court of the orders in the other cases, as entry of the orders was necessary to make the orders final and thus appealable, and receipt of written notice of such entry

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See Exhibit 9 to Appellants' Notice of Appeal, contained in Exhibit "F" to the Memorandum in Support of Respondents' Motion to Dismiss.

would trigger the time in which to initiate the appellate process for those cases under Rule 203(b)(1), SCACR. Counsel for Appellants subsequently received written notice of the entry of the orders from the Beaufort County Clerk of Court in the *Palmetto, Parkview, and Pinewood* cases, whereupon a Notice of Appeal in each of those cases was served and filed in the appropriate lower and appellate courts. Having filed appeals in the other cases, and confronted with differing time limits for the appellate processes in each of the cases, as well as the preference for a single Record on Appeal to save costs, counsel for Appellants elected to also proceed with the appeal in the *Roosevelt Gardens* case which was pending in Orangeburg County, notwithstanding the fact that they had not yet received written notice of the entry of the orders in that county. Appellants contend that their actions concerning these appeals are in keeping with the language and spirit of the applicable rules, as well as with the case law and system of government in this State.

From the inception of this litigation, each of the five (5) subject cases has been treated as separate and distinct from each other; this is in accordance with the prevailing laws and rules in this state. Each of the cases has different parties, and were filed separately in three (3) different venues with three (3) different clerks of court. Appellants paid a separate filing fee to commence each action, as well as separate filing fees for any motions filed in the cases. Each case was given a separate and distinct civil action number by the clerk of the court in which it was filed, as required by Rule 79(b)(1), SCRCF. The docket number

assigned to each case is specific to the county in which the action was filed and is pending.¹⁸ Each clerk of court was required to assign each case a separate place in the clerk's Calendar or File Book, and to receive and maintain all papers and materials relating to each case together in the file bearing the case number. See Rule 79(b)(1), SCRCF.

Under Respondents' theory, receipt of notice of the filing of the order by the Charleston County Clerk of Court would obligate the Appellants to commence their appeals with respect to actions commenced in counties other than Charleston, even though the Charleston County Clerk of Court has no jurisdiction or authority with respect to cases filed in other counties, and even though Appellants had not received written notice of the entry of the order in the other counties. Neither the applicable rules of court nor the cases cited by the Respondents support their position; none specifically deal with a single order containing multiple captions relating to actions pending between different parties in multiple counties. As shown hereinafter, the law of this state, not to mention common sense, dictate rejection of Respondents' bizarre contention.

Rule 203(b)(1), SCACR, provides in relevant part as follows:

Appeals from the Court of Common Pleas. A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment. When a timely motion... to alter or amend the judgment ... has been made, the time for appeal... shall be stayed and shall run from receipt of written notice of entry of the order granting or denying such motion..."

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See Rule 79(b)(1), SCRCF, and reference therein to "the numbering system approved by the Supreme Court by order dated March 11, 1974, as now or hereafter amended..." Under this system, cases filed in Beaufort County bear an "07" designation, cases filed in Charleston County bear a "10" designation and cases filed in Orangeburg County bear a "38" designation.

Appellants contend that this rule contemplates appeals taken only *from the court in which the action is pending*. This is evident from other portions of Rule 203 and other appellate court rules. For example, subsections (d)(1)(A) and (d)(1)(B) of Rule 203 provide that the notice of appeal “shall be filed with the clerk of the lower court,” as well as with the Clerk of the Court of Appeals. The term “lower court” is specifically defined under Rule 202(b)(1), SCACR, as being “*the circuit court ... from which the appeal is taken.*” (Emphasis added) Subsection (e) of the rule requires that the notice of appeal contain, *inter alia*, the name of the court, judge and *county from which the appeal is taken*, as well as the docket number of the case in the lower court. Entry of the order, as contemplated by Rule 203, can only be made in the court *from which the appeal is taken* in order to trigger the time for the Notice of Appeal. The appeals in the *Palmetto*, *Parkview* and *Pinewood Park* cases were taken from Beaufort County; therefore, it is the notice of the entry in Beaufort County - not Charleston County - which triggers the time to serve and file the Notice of Appeal.

When the Notices of Appeal were filed in the instant appeals, they were filed in each case with the clerk of the court in which they were pending and from which the appeal was taken. Notwithstanding this, counsel for Respondents now advance the proposition that all of the cases should be treated as one unit, and that written notice of the entry of the orders in the Charleston case should control the appellate time limits for all of the cases.

It should initially be remembered that an appeal can only be taken from a final order, and until an order is properly reduced to writing and entered, *i.e.*, filed by the clerk of court in the county and court in which the action is pending, it is not a final order which can be appealed. “Until written *and entered*, a court has discretion to modify or amend a ruling.”

Serowski v. Serowski, 381 SC 306, 672 SE2d 589 (SC App. 2009) (emphasis added). See also *Corbin v. Kohler Co.*, 351 SC 613, 571 SE2d 92 (Ct. App. 2002): “South Carolina law is clear that no order is final until it is written and entered.” It is elemental in this State that an order is not final, therefore, until it has been reduced to writing and properly entered; as shown herein, it can only be properly entered in the county where the action is pending.

Additionally, our courts have traditionally held that, in order to be “final,” an order must accomplish “the disposition of all issues in the action.” *Link v. School District of Pickens County*, 302 SC 1, 393 SE2d 176 (1990), cited in *Appellate Practice in South Carolina*, Toal, *et al.* A final order “must finally dispose of the whole subject matter..., leaving nothing to be done but to enforce by execution what has been determined.” *Good v. Hartford Accident and Indemnity Company*, 201 SC 32, 21 SE2d 209 (1942). In the present cases, when Judge Early issued his order of September 16, 2010, there were pending before him two (2) separate and additional motions which had been filed on behalf of the Appellants in all five (5) cases: a motion for recusal and vacation of prior orders, and a motion for protective order. The granting of either of these motions would have materially affected the order of September 16, 2010. Had the motion for recusal and vacation of prior orders been granted, it would have negated and rendered moot the order of September 16, 2010. Had the motion for protective order been granted, it would have provided Appellants with an alternative avenue whereby privileged documents could have been produced under seal in order to comply with the lower court orders, thereby negating the finding of contempt and dismissal of the cases contained in the order of September 16th. Accordingly, the order of September 16th was not final until Judge Early disposed of these additional two (2)

motions.¹⁹

Respondents rely upon this Court's decision in *Rosen, Rosen & Hagood v. Hiller*, 307 SC 331, 415 SE2d 117 (Ct. App. 1992) to support their position. This reliance is misplaced. Unlike the present situation, *Rosen* involved a single case from a single jurisdiction. The appellant in that case was notified of the entry of an order by opposing counsel, rather than by the clerk of the lower court. This Court held that this was sufficient notice under Rule 77, SCRCF, which the appellant in that case had invoked to support the appeal. That ruling appears to be correct insofar as it recognizes that written notice of the entry of the order may come from more than one (1) source, and that the source may be someone other than the clerk of court. The express language of Rule 77 states as much. This ruling, however, is inapplicable in the present cases, as we are concerned with Rule 203, SCACR, not a rule of civil procedure pertinent to the lower court proceedings. There is no evidence in these appeals of any such substitute source providing notice of the written entry of the orders in any of the cases.

As stated above, the *Rosen* case was premised upon an interpretation of the South Carolina Rules of Civil Procedure, rather than an interpretation of the South Carolina

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On October 7, 2010, Judge Early issued an order denying Appellants' Motion for Recusal and Vacation of Orders. On October 22, 2010, he issued an order denying Appellants' Motion for Protective Order. In each instance, he issued a single order with multiple captions for all five (5) cases and forwarded copies of the orders to all three (3) clerks of court. Appellants timely filed Rule 59 motions with respect to each of these orders, and Judge Early issued a form order denying both Rule 59 motions on December 11, 2010. An Amended Notice of Appeal which covers the orders denying Appellants' Rule 59 motions for recusal and vacation of prior orders and for protective order, as well as the prior orders set forth in the original Notices of Appeal, is being filed under separate cover in each of the five (5) cases.

Appellate Court Rules. Specifically, the issue in *Rosen* was whether or not the appellant was entitled to relief under Rule 77(d), SCRCP. That rule requires the clerk of court to serve a notice of the entry of any order or judgment upon every party affected by the order or judgment. It specifically exempts the clerk from this requirement with respect to any party who has already received the notice, as was the case in *Rosen*. The court in *Rosen* rejected the appellant's contention that he had not received proper notice because he had not received a copy of the signed, dated and filed order from the clerk of court.

The *Rosen* decision was addressed by the South Carolina Supreme Court in 2006. In *Upchurch v. Upchurch*, 367 SC 16, 624 SE2d 643 (2006), Chief Justice Toal, in deciding the issue of the timeliness of the appeal before the Court, rejected the applicability of *Rosen*, instead finding that the case was "more comparable" to this court's decision in *Bowman v. Richland Memorial Hospital*, 335 SC 88, 515 SE2d 259 (Ct. App. 1999). Chief Justice Toal's opinion dealt specifically with the Supreme Court's interpretation of Rule 203(b), SCACR, and the language relating to the "entry" of an order. Chief Justice Toal's opinion reiterates the argument of Appellants in this case set forth above: "An order is not final until it is entered by the clerk of court; and until the order or judgment is entered by the clerk of the court, the judge retains control of the case." It is elemental that a person cannot be given notice of the entry of an order until the order has, in fact, been entered. Accordingly, in *Upchurch*, where the appellant wife did not receive notice of an order until more than two (2) months after it had been filed with the clerk of court, Chief Justice Toal appropriately stated, "To hold Wife responsible for notice of an event that had not yet occurred runs afoul of the notions of fairness and equity articulated in *Bowman*."

Chief Justice Toal's opinion rejected the contention made by the respondent in that case that a letter from the trial judge's assistant enclosing the order for filing by the clerk of court was sufficient notice to trigger the appellate process under Rule 203(b) SCACR. In this regard, Chief Justice Toal stated:

By its plain language, Rule 203(b) requires notice of entry of the order. Entry of the order occurs when the clerk of court files the order. Delivery of the order to the clerk is not analogous to the entry of the order. Accordingly, we hold that the time to file a notice of appeal pursuant to Rule 203(b), SCACR, begins to run when written notice that the order has been entered into the record by the clerk of court has been received.

Although *Upchurch* only involved one order, one jurisdiction and one clerk of court, Chief Justice Toal's reliance upon and reference to "principles of fairness and equity" are analogous to Appellants' position with respect to the instant motion. As shown above, an appeal in a case must evolve from the court in which the case was filed and is pending. When the Appellants received written notice of the entry of the *Orleans Gardens* order by the Charleston County Clerk of Court, they had not received written notice of the entry of the order in the other cases pending outside Charleston County. It is inconsistent with the principles of fairness and equity recognized and adopted by the Court in *Upchurch* to hold the Appellants in these cases "responsible for notice of an event that had not yet occurred." It is undisputed that Appellants in the *Orleans Gardens* case filed their Notice of Appeal within thirty (30) days of receipt of written notice of the entry by the Charleston County Clerk of Court of the September 16, 2010 Order in that case. It is also undisputed that Appellants in the *Palmetto*, *Parkview* and *Pinewood* cases filed their Notices of Appeal within thirty (30) days of receipt of written notice of the entry of the Order in those cases by

the Beaufort County Clerk of Court, and that Appellants in the *Roosevelt* case have yet to receive written notice of the entry of the Order by the Orangeburg County Clerk of Court. To hold, as Respondents contend, that Appellants in these cases, many of whom have absolutely no involvement in the *Orleans* case, are governed by the actions of the Charleston County Clerk of Court is not only a tortured interpretation of Rule 203(b)(1), SCACR, it is a clear violation of the principles of fairness and equity which have been recognized and adopted by our Supreme Court.

Relevant to this issue is the fact that Respondents' motion gives heavy emphasis to their contention that the orders upon which their motion is based is actually a single order with a multiple caption. The initial order of April 6, 2010, which dismissed the five (5) cases previously assigned to Judge Early by Chief Justice Toal, was prepared by counsel for the Respondents. They chose the single order, multiple caption format in preparing the order. When Appellants' counsel submitted their Rule 59 motion, they simply utilized the same format as the order from which relief was being sought. The order of September 16, 2010, which denied the Rule 59 motion, again used the single order, multiple caption format earlier chosen by counsel for the Respondents in preparing the initial order. Respondents' counsel now seek to gain an undue advantage from the format of the order in question. Appellants believe that this is improper, and that they should not be penalized by a format chosen by their opponents. To the contrary, Appellants contend that they have pursued their appeals in each of the cases presently before this Court in precisely the manner prescribed and contemplated by the applicable rules and case law. To hold otherwise would not be in keeping with the fairness and equity principles referenced above.

Finally, it should be noted that the position advocated by the Respondents in their motion is contrary to the intent and construction of the governmental system in South Carolina. Counties in South Carolina are autonomous; each is a separate body politic.²⁰ Each county has its own courthouse and clerk of court; in fact, under South Carolina law, the courthouses are required to maintain a geographical separation from each other.²¹ Certain fees charged by each county clerk of court may be established by the respective county governing bodies, and differ from county to county.²² Although the circuit courts in each county are part of a unified state system, counties may be treated differently within such system.²³ The clerks of court for each county are required by law to be separate, and are elected by the voters in their respective counties.²⁴ Each clerk of court is required to issue all notices ordered in their respective court of common pleas, to attest “in his own name under the seal of the court all writs and processes issued” in the court of common pleas for his county, and to “sign officially all judgments and state the time when each is signed and

²⁰See, e.g., §4-1-10, South Carolina Code of Laws.

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See, e.g., §4-1-30, South Carolina Code of Laws, making it unlawful to locate county courthouses within eight (8) miles of the county line.

²²See, e.g., §4-1-150, South Carolina Code of Laws.

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See, e.g., §14-5-20, South Carolina Code of Laws, requiring separate seals for each county court of common pleas. Also by way of example, some counties are subject to mandatory mediation requirements for cases filed in the county court of common pleas or family court, while other counties are exempt from such requirements.

²⁴See, e.g., §14-17-10, South Carolina Code of Laws.

entered.”²⁵ Each clerk of court is required to “make a full, fair and correct entry and record of the proceedings of the courts and other matters pertaining to his office...,” to “file ... original papers in causes instituted ...,” and to “preserve... all papers ... pertaining to or connected with his office.”²⁶

Furthermore, each clerk of court is required to file “original papers of record in each cause wherein judgment may be signed or ... decree may be entered,” and is required to endorse the papers “with the character, date of filing and number on file, ... keeping all relating to the same matters together under the same number...”²⁷ Each clerk of court is required to use their own “Court of Common Pleas Journal,” in which they shall keep, *inter alia*, “final judgments,” and “copies of all orders passed, motions granted and other matters specially ordered by the court to be entered.”²⁸ Each clerk of court is responsible for the books and papers in his or her office.²⁹ “The clerks ... of the several counties shall provide separate indexes for the different sets of records provided for them.”³⁰ The Respondents’ contention that the notice of entry of an order by the clerk of court in a single county triggers the time for initiating appellate relief in cases filed by other parties which are pending in other counties is anethma to this system of autonomy.

CONCLUSION

²⁵See, e.g., §14-17-260, South Carolina Code of Laws.

²⁶See, e.g., §14-17-510, South Carolina Code of Laws.

²⁷See, e.g., §14-17-530, South Carolina Code of Laws.

²⁸See, e.g., §14-17-540(1)(g) and (h), South Carolina Code of Laws.

²⁹See, e.g., §14-17-580, South Carolina Code of Laws.

³⁰§30-9-20, South Carolina Code of Laws; see also, Rules 78 and 79, SCRCF.


Where multiple cases involving different parties are pending in multiple counties, and the cases have not been consolidated, receipt of the entry of an order in one of the cases by the Clerk of Court in one of the counties should not trigger the time for filing a notice of appeal by the other parties in the cases pending in the other counties. The Respondents' position to the contrary violates the spirit and language of the South Carolina Appellate Court Rules and applicable law, the intent and construction of the governmental system in this State and the traditional concepts of justice, fairness and equity inherent in our judicial system. Accordingly, Respondents' motion to dismiss the appeals of the Appellants should be denied.

Respectfully submitted,

THOMAS A. PENDARIVS (SC Bar # 064918)
PENDARIVS LAW OFFICES, P.C.
500 Carteret St., Suite A
Beaufort, SC 29902-5066
843.524.9500 tel
843.524.9501 fax
Thomas@PendarvisLaw.com

and

Joel D. Bailey
THE BAILEY LAW FIRM, P.A.
PO Box 1437
Beaufort, SC 29901-1437
(843) 525-6090 tel
(843) 525-6070 fax
baileylawfirm@charter.net

By: 
Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

January 28, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., Esquire
Calvin T. Vick, Esquire
Jesse C. Belcher, Esquire
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, Esquire
Anne Ross Rosen, Esquire
Nexsen Pruet, LLC
PO Box 486
Charleston SC 29402

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

AFFIDAVIT OF JOEL D. BAILEY

Personally appeared before me **JOEL D. BAILEY** who, being first duly sworn, states:

1. I am a resident and citizen of the City and County of Beaufort in the State of South Carolina.

2. I am an attorney and have been continuously licensed to practice law in the State of South Carolina since 1973. I am the sole shareholder of The Bailey Law Firm, P.A., located at 510 Ribaut Road in Beaufort, South Carolina.

3. I, together with Thomas A. Pendarvis, Esquire, represent the Appellants in the above-captioned case, as well as the Appellants in four separate but related cases, to-wit, *Davis, et al. vs. Roosevelt Gardens Apartments, et al.* Case Tracking # 2010180086; *Carolina Management, et al. vs. Pinewood Park Apartments, et al.*, Case Tracking # 21010180088; *Rentz, et al. vs Orleans Gardens Apartments, et al.*, Case Tracking # 2010176826 and *Davis, et al. vs. Parkview Apartments, et al.*, Case Tracking # 2010180666.

4. The above-captioned case was filed in 2005; the other cases were filed in 2003 and 2005. No trial has ever taken place in any of these cases. The Appellants in each case are limited partners in limited partnerships wherein the above-named Respondents are general partners. Some of the Appellants hold interests in more than one of the limited partnerships, and some hold an interest in only one of the limited partnerships, but *none* of them hold interests in *all* of the limited partnerships.

5. This Affidavit is submitted in support of Appellants' Return to Respondents' Motion to Dismiss the appeal in this case, as well as in the *Roosevelt, Pinewood* and *Parkview* cases referenced above, and for such other purposes as may be proper. I prepared the said Return, and the factual statements contained therein, as well as the statements contained in this Affidavit, are based upon my personal knowledge and/or observations; I affirm that they are true and accurate to the best of my knowledge and belief. Furthermore,

I am personally familiar with the documents referenced in the said Return and in this Affidavit, and have kept or maintained originals or copies of the same in the regular course of my business as counsel of record for the Appellants in these cases.

6. Respondents contend in their Motion to Dismiss that the Appellants receipt of written notice of entry by the Charleston County Clerk of Court of an order in the *Rentz, et al. vs Orleans Gardens, et al.* case triggered the time in which Appellants had to file notices of appeal in the other cases, which involved other parties and were pending in separate counties. As counsel for the Appellants, I am of the belief that such a contention is at odds with the language and intent of Rule 203(b)(1), SCACR, as well as other laws, statutes and rules referenced in Appellants' Return to Respondents' Motion to Dismiss. Furthermore, as stated in the Return, such an interpretation of the appellate court rules would result in fundamental inequity and unfairness to the Appellants, who have been denied a hearing on the merits for nearly six (6) years - eight (8) years for the Appellants in the *Parkview* case - since filing their Complaints in the lower court.

7. By Order of Chief Justice Jean H. Toal of the South Carolina Supreme Court dated March 7, 2006, the Honorable Doyet A. Early III, resident Circuit Court Judge for the Second Judicial Circuit, was assigned to all of these cases. The order assigning the cases to Judge Early did not consolidate the cases for any purpose. Judge Early has issued an order dismissing all five (5) cases. The basis of his order involves controversial and disputed rulings related to discovery in these cases, and Appellants believe that Judge Early has significantly departed from the existing statutory and case law of this State in the issuance of this order. Additionally, there are serious issues concerning confidential communications between Appellants and their counsel, as well as issues arising under both the Federal and

State Constitutions.

8. Judge Early ultimately issued a single order containing abbreviated versions of all five (5) case captions, in which he dismissed all five (5) of the cases. The order was prepared and presented to Judge Early by counsel for the Respondents. Motions for reconsideration pursuant to SCRPC 59 were made in each case, and an order denying the motions was signed by Judge Early. I received copies of letters from Judge Early to the clerks of court for Beaufort, Charleston and Orangeburg Counties, wherein he instructed them to file the order denying the Rule 59 motions and to serve all interested parties. A separate order was signed by Judge Early on December 11, 2010 with regard to other Rule 59 motions which were designed to avoid the harsh sanctions imposed by Judge Early. These included a motion for recusal and vacation of his prior orders, as well as a motion for protection whereby Appellants would have been permitted to comply with Judge Early's directive that they produce documents covered by their attorney-client privilege. Counsel for the Appellants have not yet received written notices of the entry of these orders in all of the cases; nevertheless, in an abundance of caution, and in the interest of minimizing costs, amended Notices of Appeals which include these orders are being filed in all five (5) cases.

I have read the foregoing paragraphs and affirm that the information contained therein is true and accurate and is based upon my personal knowledge, observations and experience, except such information as may be stated to be based upon information and belief and, as to that information, I believe that it is true and accurate.

Joel D. Bailey
Joel D. Bailey (S.C. Bar # 00471)

Sworn to before me this
27 day of January, 2011

Jennifer A. Clark
Notary Public for South Carolina

My Commission Expires: 7-8-2015



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

AFFIDAVIT OF THOMAS A. PENDARVIS

Personally appeared before me Thomas A. Pendarvis who, being first duly sworn, states:

1. I am a resident of Beaufort, South Carolina.
2. I am an attorney licensed to practice law in the State of South Carolina and am co-counsel representing the Appellants in the above-captioned case.
3. On November 22, 2010, I sent a letter to the Beaufort County Clerk of Court

requesting a clocked copy of an Order, dated September 16, 2010, issued by the Honorable Doyet A. Early, III, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 1**.

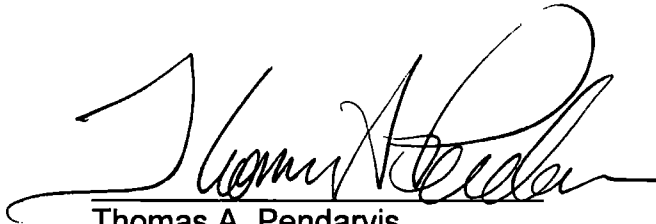
4. On November 22, 2010, I sent a letter to the Orangeburg County Clerk of Court requesting a clocked copy of an Order, dated September 16, 2010, issued by the Honorable Doyet A. Early, III, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 2**.

5. On November 29, 2010, my office received correspondence from the Beaufort County Clerk of Court enclosing a clocked copy of the Order, dated September 16, 2010, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 3**.

6. On November 30, 2010, my office received correspondence from the Beaufort County Clerk of Court enclosing a complete clocked copy of the Order, dated September 16, 2010, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 4**.

7. To date, our office has not received a reply from the Orangeburg County Clerk of Court to my November 22, 2010 correspondence.

8. At no point in time has anyone provided me with written notice of the entry of the Order, dated September 16, 2010, by the Clerk of Court for Orangeburg County.


Thomas A. Pendarvis

Sworn to before me this

25 day of January, 2011

Jennifer A. Clark
Notary Public fo South Carolina

My Commission Expires: 7-8-2015



PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS A. PENDARVIS, J.D.
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WWW.PENDARVISLAW.COM

November 22, 2010

Ms. Jerri Ann Roseneau
Beaufort County Clerk of Court
PO Drawer 1128
Beaufort SC 29901

Re: Davis v. Parkview Apartments - C.A. No. 2003-CP-07-726
Davis v. Palmetto Apartments - C.A. No. 2005-CP-07-1989
Carolina Management v. Pinewood Apartments - C.A. No. 2005-CP-07-1990

Dear Ms. Roseneau:

This is a request for a clocked copy of an ORDER dated September 16, 2010 issued by the Honorable Doyet A. Early, III in the foregoing cases.

By a copy of Judge Early's correspondence to your office, also dated September 16, 2010, we understand that this ORDER was mailed to your office for filing. Counsel for Plaintiffs in these three cases have not received written notice that this Order has been entered. If this ORDER has been entered, please send to my office a clocked copy in the self-addressed stamped envelope we have enclosed for your convenience.

Should you have any questions or concerns, please do not hesitate to contact my office. With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis

TAP/lat



Page 2

November 22, 2010

Enclosure

cc: Joel D. Bailey, J.D. (via e-mail w/o enclosure)
Marvin D. Infinger, J.D. (via U.S. Mail w/o enclosure)
Anne Ross Rosen, J.D. (via U.S. Mail w/o enclosure)
Ellis M. Johnston, II, J.D. (via U.S. Mail w/o enclosure)
Calvin T. Vick, Jr., J.D. (via U.S. Mail w/o enclosure)
Jesse C. Belcher, Jr., J.D. (via U.S. Mail w/o enclosure)
Honorable Doyet A. Early, III (via U.S. Mail w/o enclosure)



PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS A. PENDARVIS, J.D.
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WWW.PENDARVISLAW.COM

November 22, 2010

Ms. Lisa W. Mizell
Clerk of Court, Orangeburg County
PO Drawer 9000
Orangeburg, SC 29116

Re: Laurence H. Davis, Jr., et al. v. Roosevelt Gardens, et al.
Case No. 2005-CP-38-1131

Dear Ms. Mizell:

This is a request for a clocked copy of an ORDER dated September 16, 2010 issued by the Honorable Doyet A. Early, III in the foregoing case.

By a copy of Judge Early's correspondence to your office, also dated September 16, 2010, we understand that this ORDER was mailed to your office for filing. Counsel for Plaintiffs in this case have not received written notice that this Order has been entered. If this ORDER has been entered, please send to my office a clocked copy in the self-addressed stamped envelope we have enclosed for your convenience.

Should you have any questions or concerns, please do not hesitate to contact my office. With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis

TAP/lat
Enclosure



Page 2

November 8, 2010

cc: Joel D. Bailey, J.D. (via e-mail w/o enclosure)
Marvin D. Infinger, J.D. (via U.S. Mail w/o enclosure)
Anne Ross Rosen, J.D. (via U.S. Mail w/o enclosure)
Ellis M. Johnston, II, J.D. (via U.S. Mail w/o enclosure)
Calvin T. Vick, Jr., J.D. (via U.S. Mail w/o enclosure)
Jesse C. Belcher, Jr., J.D. (via U.S. Mail w/o enclosure)
Honorable Doyet A. Early, III (via U.S. Mail w/o enclosure)

Office of the Clerk of Court

Beaufort County
Post Office Drawer 1128
Beaufort, South Carolina 29901-1128
(843)255-5050 Fax: (843)255-9412

Jerri Ann Roseau
Clerk of Court

RECEIVED NOV 29 2010

DATE: November 24, 2010

FROM: Kristy Taylor, Clerk of Court Staff (843-255-5061)

REGARDING DOCUMENT: 3 Orders Signed by Judge Early, 2003-CP-07-0726

MOTION/ORDER

(Filing Fee) _____ @ 25.00 ea _____
CANCEL LIS PENDENS _____ @ 1.00 ea _____
CERTIFIED COPIES _____ @ 3.00 ea _____
COPIES _____ 15 _____ @ 0.50 ea _____ 7.50 _____
EXEMPLIFIED COPIES _____ @ 1.00 ea _____
ENVELOPES _____ @ 0.50 ea _____
POSTAGE _____ @ _____ ea _____
PAST DUE CHARGES _____
MISCELLANEOUS CHARGES _____
TOTAL AMOUNT DUE \$ _____ 7.50 _____

*You only had
.50 in your
copy card
account, so
I decided to
send ~~and~~ a
receipt along
with the
orders.*

*Thanks -
Kristy*

PLEASE MAIL REMITTANCE TO: CLERK OF COURT
PO DRAWER 1128
BEAUFORT, SC 29901

PAYMENT DUE UPON RECEIPT

PLEASE NOTE: If you need a copy returned to you provide the copy and a self addressed and stamped envelope. We do not have the time or personnel to provide this service for each law firm.

THANK YOU!



STATE OF SOUTH CAROLINA

085P-20 Pii 3: 52

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Parkview Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Roosevelt Gardens, a South Carolina
Limited Partnership, *et al.*, Defendants.

Rhonda G. Rentz, *et al.*, Plaintiffs,
v.
Orleans Gardens, a South Carolina
Limited Partnership, *et al.*, Defendants.

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Palmetto Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Carolina Management Corporation of
Beaufort, *et al.*, Plaintiffs,
v.
Pinewood Park Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

IN THE COURT OF COMMON PLEAS

Beaufort County
C.A. No. 2003-CP-07-726

Orangeburg County
C.A. No. 2005-CP-38-1131

Charleston County
C.A. No. 2005-CP-10-4229

Beaufort County
C.A. No. 2005-CP-07-1989

Beaufort County
C.A. No. 2005-CP-07-1990

ORDER

Plaintiffs have filed a motion seeking reconsideration of this court's order dated April 6, 2010, pursuant to Rule 59, SCRPC. The order was signed after Plaintiffs repeatedly failed to comply with orders dealing with discovery dated March 3, 2009 and July 28, 2009. Each of those orders have resulted from numerous hearings, motions, memoranda, arguments and rulings, including rulings denying Plaintiff's Rule 59/60 motions seeking reconsideration of these orders.

The court has carefully reconsidered all of Plaintiff's arguments in support of their motion, revisited all prior orders and the cases, memoranda and exhibits presented at each hearing; the court is still of the opinion that the previous orders were a correct application of the law to this factual matter.

Therefore Plaintiff's motion is DENIED.

IT IS SO ORDERED.


The Honorable Doyet A. Early, III

Sept 16, 2010
Greenville, South Carolina



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 80
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2883
dearlyj@sccourts.org

September 16, 2010

The Honorable Jeri Ann Roseneau
Post Office Box 1128
Beaufort, South Carolina 29901-1128

Re: Laurance H. Davis, Jr. et al v. Parkview Apartments, 03-CP-07-726
Laurance H. Davis, Jr. et al v. Pulmetto Apartments, 05-CP-07-1989
Carolina Management Corp of Beaufort, et al v. Pinewood Park Apartments, 05-CP-07-1990

Dear Ms. Roseneau:

Please find enclosed for filing my orders in the above cases. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc
Enclosures

cc: **Joel Bailey, Esquire**
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire



RECEIVED NOV 30 2010

BEAUFORT COUNTY CLERK OF COURT
10 NOV 23 PM 1:20

PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS A. PENDARVIS, J.D.
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November 22, 2010

Ms. Jerri Ann Roseneau
Beaufort County Clerk of Court
PO Drawer 1128
Beaufort SC 29901

Re: Davis v. Parkview Apartments - C.A. No. 2003-CP-07-726
Davis v. Palmetto Apartments - C.A. No. 2005-CP-07-1989
Carolina Management v. Pinewood Apartments - C.A. No. 2005-CP-07-1990

Dear Ms. Roseneau:

This is a request for a clocked copy of an ORDER dated September 16, 2010 issued by the Honorable Doyet A. Early, III in the foregoing cases.

By a copy of Judge Early's correspondence to your office, also dated September 16, 2010, we understand that this ORDER was mailed to your office for filing. Counsel for Plaintiffs in these three cases have not received written notice that this Order has been entered. If this ORDER has been entered, please send to my office a clocked copy in the self-addressed stamped envelope we have enclosed for your convenience.

Should you have any questions or concerns, please do not hesitate to contact my office. With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis



TAP/lat

AS I was going through what we had scanned, I think the copy I sent earlier may have been missing a couple of pages. So I'm resending just in case - Thanks - v...t.

Page 2

November 22, 2010

Enclosure

cc: Joel D. Bailey, J.D. (via e-mail w/o enclosure)
Marvin D. Infinger, J.D. (via U.S. Mail w/o enclosure)
Anne Ross Rosen, J.D. (via U.S. Mail w/o enclosure)
Ellis M. Johnston, II, J.D. (via U.S. Mail w/o enclosure)
Calvin T. Vick, Jr., J.D. (via U.S. Mail w/o enclosure)
Jesse C. Belcher, Jr., J.D. (via U.S. Mail w/o enclosure)
Honorable Doyet A. Early, III (via U.S. Mail w/o enclosure)

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al.*, Plaintiffs,)
v.)
Parkview Apartments, a South Carolina Limited)
Partnership, *et al.*, Defendants.)

Beaufort County
C.A. No. 2003-CP-07-726

Laurance H. Davis, Jr., *et al.*, Plaintiffs,)
v.)
Roosevelt Gardens, a South Carolina Limited)
Partnership, *et al.*, Defendants.)

Orangeburg County
C.A. No. 2005-CP-38-1131

Rhonda G. Rentz, *et al.*, Plaintiffs,)
v.)
Orleans Gardens, a South Carolina Limited)
Partnership, *et al.*, Defendants.)

Charleston County
C.A. No. 2005-CP-10-4229

Laurance H. Davis, Jr., *et al.*, Plaintiffs,)
v.)
Palmetto Apartments, a South Carolina Limited)
Partnership, *et al.*, Defendants.)

Beaufort County
C.A. No. 2005-CP-07-1989

Carolina Management Corporation of Beaufort,)
et al., Plaintiffs,)
v.)
Pinewood Park Apartments, a South Carolina)
Limited Partnership, *et al.*, Defendants.)

Beaufort County
C.A. No. 2005-CP-07-1990

10 OCT 25 PM 3:27
BEAUFORT COUNTY S.C.
CLERK OF COURT

ORDER DENYING PLAINTIFFS' MOTION FOR PROTECTIVE ORDER

This matter is before the Court on Plaintiffs' Motions for Protective Order (collectively, "Motion"), which were filed in each of the above-captioned actions on or about February 22, 2010. The Court has considered the written Motion itself, Defendants' Memorandum in Opposition to the Motion, other motions, memoranda and affidavits subsequently filed by the parties, which pertain to issues presented in the instant Motion, the oral argument of the parties'

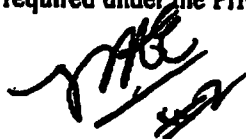
Handwritten signature/initials

counsel at the March 29, 2010 hearing in these cases, which concerned, *inter alia*, Plaintiffs' Motion, and other matters submitted to the Court for its consideration.

Plaintiffs' Motion concerns their proposed production of the documents that the Court compelled Plaintiffs to produce in its July 28, 2009 Order ("Privilege Discovery Order"). Plaintiffs state that the Motion is made pursuant to Rule 26(c), SCRPC, "in an attempt by Plaintiffs to comply with the Order of July 28, 2009." (Motion, p. 2) However, Plaintiffs do not propose to produce the subject documents as required by the Privilege Discovery Order. Instead, Plaintiffs propose that they provide the documents to the Court under seal, that the Court read, review and examine the documents *in camera* "before any dissemination to opposing counsel and that the mental impressions, conclusions, opinions or legal theories of Plaintiffs' counsel concerning this litigation be redacted." (Motion, p. 2; emphasis added) The Court finds that the Motion should be denied for the following reasons.

First, in light of Plaintiffs' proposed requirement that attorney mental impressions, conclusions, opinions or legal theories be redacted before any dissemination of the documents to Defendants' counsel, Plaintiffs are asking that the Court modify or amend the earlier Privilege Discovery Order, which required the Plaintiffs to produce the documents without exception.¹ A motion to alter or amend the Privilege Discovery Order in this manner must be filed in accordance with Rule 59(e), SCRPC, not Rule 26(c). Plaintiffs' instant Motion was not filed within 10 days of their receipt of written notice of the entry of the Privilege Discovery Order, as required by Rule 59(e). Plaintiffs' Motion, which seeks the type of relief governed by Rule 59(e), is not timely.

¹ Considering Plaintiffs have not provided a single document to the Court, under seal or otherwise, it appears that their willingness to do so is conditioned upon the Court first accepting their proposed redaction requirement. Thus, if the Court were to undertake the review proposed by Plaintiffs and determine that, consistent with its original order, the documents are to be produced without redaction, providing the documents to the Court under seal would in no way achieve the production required under the Privilege Discovery Order, but would be fruitless.

 2

Second, Plaintiffs' Motion, which clearly seeks to modify or amend the Privilege Discovery Order, raises arguments or issues that were not presented to the Court prior to entry of the Privilege Discovery Order, i.e., that the Court should inspect the subject documents *in camera* and the attorneys' mental impressions, conclusions, opinions or legal theories concerning this litigation should be redacted from the documents before being produced. Plaintiffs "cannot use a motion ... to alter or amend a judgment to present an issue that could have been raised prior to judgment but was not." Brailsford v. Brailsford, 380 S.C. 443, 669 S.E.2d 342, 345 (Ct. App. 2008). See also Pacific Insurance Co. v. American Nat'l Fire Insurance Co., 148 F.3d 396, 403 (4th Cir. 1998) (Rule 59 is not intended to allow a party to complete presenting his case after the court has ruled against him, or to re-litigate old matters, or to raise arguments or present evidence that could have been raised prior to entry of the judgment). Though styled as a motion for protective order under Rule 26(c), the Court cannot ignore the purpose and effect of the relief sought, which is to alter the terms of the Privilege Discovery Order.

Third, and perhaps most importantly, the Court has ruled that Plaintiffs waived all privileges that would otherwise attach to the subject documents, including claims of work product. The Court has considered Plaintiffs' various arguments that the Privilege Discovery Order should be amended to find that the Plaintiffs did not waive such protections, and it has reaffirmed its previous rulings based on its belief that those rulings are correct. If the Court were to redact attorney mental impressions, conclusions, opinions or legal theories concerning this litigation, as proposed by Plaintiffs, it would clearly undercut the Court's rulings in the Privilege Discovery Order and the grounds upon which such rulings were made. Each of Plaintiffs' documents compelled in the Privilege Discovery Order were created more than three years before filing of the Palmetto, Orleans, Roosevelt and Pinewood cases (many more than three

 3

years before the Parkview case was filed).² To the extent such documents contain Plaintiffs' attorneys' litigation and trial strategies in this litigation more than three years before the suits were filed, as Plaintiffs' Motion indicates, it is difficult to imagine a document that is more relevant to the statute of limitations issue and Plaintiffs' claims for damages due to Defendants' alleged interference with Plaintiffs' investigation and pursuit of these lawsuits (see Complaints in Roosevelt and Orleans cases). Such information within the documents certainly does not detract from the Court's finding that the Plaintiffs, through their actions (e.g. the allegations in the Roosevelt and Orleans Complaints), waived any otherwise applicable privilege. Plaintiffs have not demonstrated that their proposed review process would be likely to accomplish anything other than reinforcement of the grounds for compelling production.

In light of the above, Plaintiffs' Motion is DENIED.

IT IS SO ORDERED.



Doyet A. Early, III, Circuit Court Judge

Dated: Oct 22, 2010

² The Court issued its rulings in the Privilege Discovery Order based on the information contained in the parties' respective Privilege Logs, which sufficiently identified and described the subject documents for the purposes of the Court's rulings. Not incidentally, the information in the parties' respective privilege logs also provided the factual bases relied upon by the parties in their argument concerning the various privilege disputes presented in the parties' respective Rule 59 motions, each of which sought to alter or amend the Court's June 2, 2009 Order and resulted in the Court's July 28, 2009 Privilege Discovery Order.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhoda G. Rentz, Mortimer M. Weinberg, Jr.,
Hodge Land Co., Inc. and Anna Trotter, individually and in their
capacities as the Limited Partners of Roosevelt Gardens, a South
Carolina Limited Partnership. Appellants,

vs.

Roosevelt Gardens, a South Carolina Limited Partnership;
Apartment Investment and Management Company a/k/a
AIMCO; Insignia Financial Group, Inc.; AmReal Corporation
a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter
Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John
Doe, a generic designation for a party or parties whose true
identity is unknown Respondents.

AFFIDAVIT OF JENNIFER A. CLARK

Personally appeared before me Jennifer A. Clark who, being first duly sworn, states:

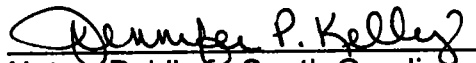
1. I am a resident of Beaufort, South Carolina.
2. I am a paralegal with the Pendarvis Law Offices, P.C.
3. On November 22, 2010, Pendarvis Law Offices sent a letter to the Orangeburg County Clerk of Court requesting a clocked copy of an Order, dated September 16, 2010, issued by the Honorable Doyet A. Early, III, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 1**.

4. On November 29, 2010, Cathy Wilson from the Orangeburg County Clerk called our office stating that they had received our letter dated November 22, 2010 but that they did not have any such order and had no idea what our office was talking about. I faxed her a copy of Judge Early's cover letter to the clerk together with the two page Order, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 2**. She stated that she was going to see what she could find out and get back to me. To date, our office has not heard back from the Orangeburg County Clerk regarding the Order dated September 16, 2010. We have never received written notice of entry of the Order in Orangeburg County.


Jennifer A. Clark

Sworn to before me this

27th day of January, 2011


Notary Public to South Carolina

My Commission Expires: 02-01-2020



PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS A. PENDARVIS, J.D.
ADMITTED IN SC AND GA
THOMAS@PENDARVISLAW.COM

TEL. 843.524.9500
FAX. 843.524.9501
WWW.PENDARVISLAW.COM

November 22, 2010

Ms. Lisa W. Mizell
Clerk of Court, Orangeburg County
PO Drawer 9000
Orangeburg, SC 29116

Re: Laurence H. Davis, Jr., et al. v. Roosevelt Gardens, et al.
Case No. 2005-CP-38-1131

Dear Ms. Mizell:

This is a request for a clocked copy of an ORDER dated September 16, 2010 issued by the Honorable Doyet A. Early, III in the foregoing case.

By a copy of Judge Early's correspondence to your office, also dated September 16, 2010, we understand that this ORDER was mailed to your office for filing. Counsel for Plaintiffs in this case have not received written notice that this Order has been entered. If this ORDER has been entered, please send to my office a clocked copy in the self-addressed stamped envelope we have enclosed for your convenience.

Should you have any questions or concerns, please do not hesitate to contact my office. With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis

TAP/lat
Enclosure



Page 2

November 8, 2010

cc: Joel D. Bailey, J.D. (via e-mail w/o enclosure)
Marvin D. Infinger, J.D. (via U.S. Mail w/o enclosure)
Anne Ross Rosen, J.D. (via U.S. Mail w/o enclosure)
Ellis M. Johnston, II, J.D. (via U.S. Mail w/o enclosure)
Calvin T. Vick, Jr., J.D. (via U.S. Mail w/o enclosure)
Jesse C. Belcher, Jr., J.D. (via U.S. Mail w/o enclosure)
Honorable Doyet A. Early, III (via U.S. Mail w/o enclosure)



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

RECEIVED SEP 20 2010

September 16, 2010

The Honorable Winnifa Brown-Clark
Post Office Box 9000
Orangeburg, South Carolina 29115

Re: Laurance H. Davis, Jr. et al v. Roosevelt Gardens, 05-CP-38-1131

Dear Ms. Clark:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc

Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire ✓

EXHIBIT

2

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

**Laurance H. Davis, Jr., et al., Plaintiffs,
v.
Parkview Apartments, a South Carolina
Limited Partnership, et al., Defendants.**

**Beaufort County
C.A. No. 2003-CP-07-726**

**Laurance H. Davis, Jr., et al., Plaintiffs,
v.
Roosevelt Gardens, a South Carolina
Limited Partnership, et al., Defendants.**

**Orangeburg County
C.A. No. 2005-CP-38-1131**

**Rhonda G. Rentz, et al., Plaintiffs,
v.
Orleans Gardens, a South Carolina
Limited Partnership, et al., Defendants.**

**Charleston County
C.A. No. 2005-CP-10-4229**

**Laurance H. Davis, Jr., et al., Plaintiffs,
v.
Palmetto Apartments, a South Carolina
Limited Partnership, et al., Defendants.**


**Beaufort County
C.A. No. 2005-CP-07-1989**

**Carolina Management Corporation of
Beaufort, et al., Plaintiffs,
v.
Pinewood Park Apartments, a South Carolina
Limited Partnership, et al., Defendants.**

**Beaufort County
C.A. No. 2005-CP-07-1990**

ORDER

Plaintiffs have filed a motion seeking reconsideration of this court's order dated April 6, 2010, pursuant to Rule 59, SCRPC. The order was signed after Plaintiffs repeatedly failed to comply with orders dealing with discovery dated March 3, 2009 and July 28, 2009. Each of those orders have resulted from numerous hearings, motions, memoranda, arguments and rulings, including rulings denying Plaintiff's Rule 59/60 motions seeking reconsideration of these orders.


##1

The court has carefully reconsidered all of Plaintiff's arguments in support of their motion, revisited all prior orders and the cases, memoranda and exhibits presented at each hearing; the court is still of the opinion that the previous orders were a correct application of the law to this factual matter.

Therefore Plaintiff's motion is DENIED.

IT IS SO ORDERED.



The Honorable Doyet A. Early, III

Sept 16, 2010

Beaufort, South Carolina



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

October 7, 2010

The Honorable Julie J. Armstrong
100 Broad Street Suite 106
Charleston, SC 29401

Re: Rhonda G. Rentz, et al v. Orleans Gardens, et al, 05-CP-10-4229

Dear Ms. Armstrong:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,

A handwritten signature in black ink, appearing to read "Doyet A. Early, III".

D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire

EXHIBIT 1



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

October 7, 2010

The Honorable Winnifa Brown-Clark
Post Office Box 9000
Orangeburg, South Carolina 29115

Re: Laurance H. Davis, Jr. et al v. Roosevelt Gardens, 05-CP-38-1131

Dear Ms. Clark:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,

A handwritten signature in black ink that reads "DA Early III".

D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

October 7, 2010

The Honorable Jerri Ann Roseneau
Post Office Box 1128
Beaufort, SC 29901

Re: Laurance H. Davis, Jr. et al v. Parkview Apartments, 03-CP-07-726
Laurance H. Davis, Jr. et al v. Palmetto Apartments, 05-CP-07-1989
Carolina Management Corporation of Beaufort, et al v. Pinewood Park Apartments, et al, 05-CP-07-1990

Dear Ms. Roseneau:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,

A handwritten signature in black ink, appearing to read "D. A. Early, III", with a stylized flourish at the end.

D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

October 22, 2010

The Honorable Julie J. Armstrong
100 Broad Street Suite 106
Charleston, SC 29401

Re: Rhonda G. Rentz v. Orleans Gardens, 05-CP-10-4229

Dear Ms. Armstrong:

Please find enclosed for filing an order in the above case. Please file and serve all interested parties.

Sincerely,

A handwritten signature in black ink, appearing to read "Doyet A. Early, III", with a long horizontal line extending to the right.

D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

October 22, 2010

The Honorable Winnifa Brown-Clark
Post Office Box 9000
Orangeburg, SC 29115

Re: Laurance H. Davis v. Roosevelt Gardens, 05-CP-38-1131

Dear Ms. Brown-Clark:

Please find enclosed for filing an order in the above case. Please file and serve all interested parties.

Sincerely,

A handwritten signature in black ink that reads "DA Early III".

D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

October 22, 2010

The Honorable Jerri Ann Roseneau
Post Office Box 1128
Beaufort, SC 29901

Re: Laurance H. Davis, Jr. et al v. Parkview Apartments, 03-CP-07-726
Laurance H. Davis, Jr. et al v. Palmetto Apartments, 05-CP-07-1989
Carolina Management Corporation of Beaufort, et al v. Pinewood Park Apartments, et al, 05-CP-07-1990

Dear Ms. Roseneau:

Please find enclosed for filing an order in the above case. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc

Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire

JULIE J. ARMSTRONG

CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2258

RETURN SERVICE REQUESTED



www3.charlestoncounty.org

78



BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC
ORDER - ORDER-PLNTFFS' 2ND RECUSAL MOT IS DENIED

THIS JUDGMENT WAS ENTERED ON THE 8TH DAY OF OCTOBER , 2010 AND A COPY MAILED
FIRST-CLASS THIS 15TH DAY OF OCTOBER , 2010 TO ALL COUNSEL OF RECORD AND/OR
ALL PERSONS ENTITLED TO RECEIVE NOTICE.
YOU MAY VIEW AND DOWNLOAD THIS DOCUMENT AT WWW3.CHARLESTONCOUNTY.ORG

EXHIBIT 2

BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

2005-CP-10-004229
RENTZ, RHODA G ETAL ETC
VS.
ORLEANS GARDENS ETAL ETC

JULIE J. ARMSTRONG
CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 108
CHARLESTON, SC 29401-2258
RETURN SERVICE REQUESTED



www3.charlestoncounty.org



Received
Nov. 6th, 2010

24



BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC
ORDER - ORDER DENYING PLNTFFS' MOTION FOR PROTECTIVE ORDER

THIS JUDGMENT WAS ENTERED ON THE 27TH DAY OF OCTOBER , 2010 AND A COPY MAILED
FIRST-CLASS THIS 4TH DAY OF NOVEMBER , 2010 TO ALL COUNSEL OF RECORD AND/OR
ALL PERSONS ENTITLED TO RECEIVE NOTICE.
YOU MAY VIEW AND DOWNLOAD THIS DOCUMENT AT WWW3.CHARLESTONCOUNTY.ORG

BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

2005-CP-10-004229
RENTZ, RHODA G ETAL ETC
VS.
ORLEANS GARDENS ETAL ETC

JULIE J. ARMSTRONG

CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2268

RETURN SERVICE REQUESTED



www3.charlestoncounty.org

63



BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC
ORDER - ORDER-PLNTFF'S MOT TO ALTER OR AMEND ORDER
DENYING PLNTFF'S MOT FOR PROTECTIVE ORDER & THE ORDER DENYING

THIS JUDGMENT WAS ENTERED ON THE 17TH DAY OF DECEMBER , 2010 AND A COPY MAILED
FIRST-CLASS THIS 31ST DAY OF DECEMBER , 2010 TO ALL COUNSEL OF RECORD AND/OR
ALL PERSONS ENTITLED TO RECEIVE NOTICE.
YOU MAY VIEW AND DOWNLOAD THIS DOCUMENT AT WWW3.CHARLESTONCOUNTY.ORG

Received
1-5-11
(SA)

BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

2005-CP-10-004229
RENTZ, RHODA G ETAL ETC
VS.
ORLEANS GARDENS ETAL ETC



The South Carolina Court of Appeals

JEANETTE F. BARBER
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMNER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1800
FAX: (803) 734-1839
www.sccourts.org

December 2, 2009

Ellis M. Johnston, Esquire
Calvin T. "Ted" Vick, Jr., Esquire
Haynsworth Sinkler Boyd, P.A.
P O Box 2048
Greenville, SC 29602

Re: Davis, Laurance v Parkview Apartments
Case Tracking Number 2009-138726

Dear Counsel:

The following Order has been endorsed on Respondents' Motion to Dismiss Appeal in the above entitled case on appeal.

"Granted.

s/ Jasper M. Cureton A. J.

December 01, 2009."

Please be advised, pursuant to Rule 221(b) of the South Carolina Appellate Court Rules, the remittitur in this case will be sent to the Clerk of Court for Beaufort, Charleston and Orangeburg Counties after fifteen (15) days, exclusive of the date of filing this Order

Very truly yours,

A handwritten signature in black ink, appearing to read "J M Cureton".

CLERK

JFB/pd

cc: John S. Nichols, Esquire
Blake A. Hewitt, Esquire
The Honorable Julie J. Armstrong
The Honorable Winnifa Brown-Clark
Jerri Roseneau

EXHIBIT 3



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

September 16, 2010

The Honorable Julie J. Armstrong
100 Broad Street Suite 106
Charleston, South Carolina 29401-2258

Re: Rhonda G. Rentz, et al v. Orleans Gardens, 05-CP-10-4229

Dear Ms. Armstrong:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc

Enclosure

cc: Joel Bailey, Esquire ✓
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire

EXHIBIT 4



Received
9-20-10

State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@scccourts.org

September 16, 2010

The Honorable Jeri Ann Roseneau
Post Office Box 1128
Beaufort, South Carolina 29901-1128

Re: Laurance H. Davis, Jr. et al v. Parkview Apartments, 03-CP-07-726
Laurance H. Davis, Jr. et al v. Palmetto Apartments, 05-CP-07-1989
Carolina Management Corp of Beaufort, et al v. Pinewood Park Apartments, 05-CP-07-1990

Dear Ms. Roseneau:

Please find enclosed for filing my orders in the above cases. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc
Enclosures

cc: Joel Bailey, Esquire ✓
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

September 16, 2010

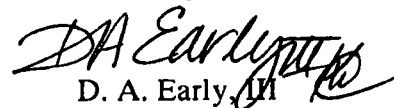
The Honorable Winnifa Brown-Clark
Post Office Box 9000
Orangeburg, South Carolina 29115

Re: Laurance H. Davis, Jr. et al v. Roosevelt Gardens, 05-CP-38-1131

Dear Ms. Clark:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire ✓
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire

JULIE J. ARMSTRONG
CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2258
RETURN SERVICE REQUESTED



www3.charlestoncounty.org



Received
Fri.
10-1-10
50

13



BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC
ORDER - ORDER DENYING PLNTFFS' MOTION FOR RECONSIDERATION

THIS JUDGMENT WAS ENTERED ON THE 20TH DAY OF SEPTEMBER, 2010 AND A COPY MAILED
FIRST-CLASS THIS 28TH DAY OF SEPTEMBER, 2010 TO ALL COUNSEL OF RECORD AND/OR
ALL PERSONS ENTITLED TO RECEIVE NOTICE.
YOU MAY VIEW AND DOWNLOAD THIS DOCUMENT AT WWW3.CHARLESTONCOUNTY.ORG

EXHIBIT 5

BAILEY, JOEL D
PO BOX 1437
BEAUFORT SC 29901-1437

2005-CP-10-004229
RENTZ, RHODA G ETAL ETC
VS.
ORLEANS GARDENS ETAL ETC

Date: Tuesday, April 6, 2010 8:02 AM
From: Early, Doyet A. Law Clerk (Britton All) <dearlylc@sccourts.org>
To: Thomas A. Pendarvis <tpendarvis@pendarvislaw.com>
Cc: Joel D. Bailey <baileylawfirm@charter.net>, Jennifer Clark <JClark@pendarvislaw.com>, Johnston, II, J.D., Ellis M. <ejohnston@hsblawfirm.com>, Vick, Ted <tvick@hsblawfirm.com>, Leslie Toia <LToia@pendarvislaw.com>
Subject: Parkview - Davis v. Aimco

Counsel,

Judge Early has signed the Order Granting Defendants' Two Motions for Sanctions, Finding Plaintiffs in Contempt of Court, and Dismissing the Above-Captioned Actions as Sanctions for Plaintiffs' Contempt. They will be mailed to the respective clerks of court today.

Thanks!

Britton All

Law Clerk to the Honorable D.A. Early, III

The Circuit Court of the 2nd Judicial Circuit

PO Box 90

Bamberg, SC 29003

Telephone: 803.245.4004

Fax: 803.245.2983

dearlylc@sccourts.org

EXHIBIT 6

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

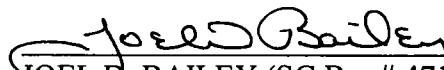
RECEIVED
JAN 28 2011
SC Court of Appeals

PROOF OF SERVICE

I, Joel D. Bailey, of The Bailey Law Firm, P.A., certify that I have served one (1) copy of Appellants' Return to Respondents' Motion to Dismiss with supporting documentation on counsel for Respondents, by depositing a copy of the same in the United States Mail, postage prepaid, on the 28th day of January, 2011, addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
NEXSEN PRUETT LLC
PO Box 486
Charleston, SC 29402


JOEL D. BAILEY (SC Bar # 471)
THE BAILEY LAW FIRM, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437
843-525-6090
843-525-6070 (fax)
baileylawfirm@charter.net

Counsel for Appellants

January 28, 2011
Beaufort, South Carolina



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

510 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-525-6090
FAX: 843-525-6070

January 28, 2011

Ms. Tanya Gee, Clerk
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RE: Carolina Management Corp. of Beaufort, et al. vs. Pinewood Park Apartments, et. al.
Case No. 2005-CP-07-1990
Case Tracking # 2010180088

Dear Ms. Gee:

With regard to the above-referenced matter, enclosed for filing please find the original and six (6) copies of Appellants' Return to the Respondents' Motion to Dismiss, together with supporting documentation. Also enclosed is the original proof of service.

I would appreciate you filing this return in the above-referenced appeal at your earliest convenience. Thank you for your assistance with this matter.

With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey

JDB/shb
enclosures

cc: Ellis M. Johnston, II, Esquire (w/enclosures)
Calvin T. Vick, Jr., Esquire (w/enclosures)
Jesse C. Belcher, Jr., Esquire (w/enclosures)
Anne Ross Rosen, Esquire (w/enclosures)
Marvin D. Infinger, Esquire (w/enclosures)
Thomas A. Pendarvis, Esquire (w/enclosures)

RECEIVED

JAN 28 2011

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010180088

RECEIVED
FEB 09 2010
SC Court of Appeals

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership, Appellants,

v.

Pinewood Park Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc., AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation, ISTC Corporation, N. Barton Tuck, Jr., and John Doe, a generic designation for a party or parties whose true identity is unknown, Respondents.

REPLY MEMORANDUM IN SUPPORT OF
RESPONDENTS' MOTION TO DISMISS

Ellis M. Johnston, II
Calvin T. Vick, Jr.
HAYNSWORTH SINKLER BOYD, PA
Post Office Box 2048
Greenville, SC 29602
Telephone: (864) 240-3200
Facsimile: (864) 240-3336

Respondents submit this Reply in support of their Motion to Dismiss the instant appeal due to Appellants' failure to comply with Rule 203(b)(1), SCACR.

I. WRITTEN NOTICE OF ENTRY OF THE SINGLE ORDER DENYING APPELLANTS' RULE 59 MOTION FOR RECONSIDERATION TRIGGERS TIME FOR APPEAL IN ALL CASES SUBJECT TO THE ORDER.¹

A. Central Facts

There are three documents that are critical to determining whether Appellants timely filed their Notice of Appeal pursuant to Rule 203(b)(1), SCACR: (1) the single written April 6, 2010 Order, which applied on its face to all five cases (including the instant case), and dismissed all five cases as sanctions for plaintiffs' contempt of court ("Sanctions Order;" see Exhibit B to Memorandum in Support of Respondents' Motion to Dismiss); (2) the single written April 22, 2010 Motion for Reconsideration, which was served and filed jointly by all plaintiffs in all five cases (including the plaintiffs/Appellants in this case), applied on its face to all five cases (including the instant case), and sought to alter or amend the Sanctions Order ("Motion for

¹ There are "four related appeals" (collectively, with this appeal, "all five cases") which take issue with the same Order. Appellants' attorneys in the instant appeal also represent the appellants in the four related appeals (including Rentz, et al. v. Orleans Gardens, et al., Court of Appeals Case No. 2010176826; Laurance H. Davis, Jr., et al. v. Parkview Apartments, et al., Court of Appeals Case No. 2010180666; Laurance H. Davis, Jr., et al. v. Palmetto Apartments, et al., Court of appeals Case No. 2010180087; and, Laurance H. Davis, Jr., et al. v. Roosevelt Gardens, et al., Court of Appeals Case No. 2010180086), and they represented all of the plaintiffs in all five cases in the trial court. Thus, they had actual notice that the Order, which applied to all five cases, had become final, *i.e.*, it could not be amended or withdrawn without further order of the Court.

Reconsideration;” see Exhibit C to Memorandum in Support of Respondents’ Motion to Dismiss); and (3) the single written September 16, 2010 Order, which applied on its face to all five cases (including the instant case), and denied the plaintiffs’ combined Motion for Reconsideration (“Order Denying Motion for Reconsideration;” see Exhibit D to Memorandum in Support of Respondents’ Motion to Dismiss). The Order Denying Motion for Reconsideration was entered by all three clerks of court on September 20, 2010 (see **Exhibit 7** hereto, Craddock Affidavit at Paragraphs 9-10 and Exhibits D-G thereto), and Appellants’ attorneys received written notice of entry of the Order from Charleston County on October 1, 2010, more than 60 days before they filed notice of appeal in this case.

The Sanctions Order was issued as a result of Appellants in all five cases failing to comply with the lower court’s Orders of March 3, 2009 (the “General Discovery Order;” see Exhibit 3 to Notice of Appeal) and July 28, 2009 (the “Privilege Discovery Order;” see Exhibit 7 to Notice of Appeal) compelling them to provide adequate responses to Respondents’ discovery requests and to produce certain documents to Respondents. Each of Appellants’ discovery responses in all five cases, to include amendments thereto (except as noted below in footnote 2), were served by all Appellants in all five cases as a joint or consolidated response to Respondents’ discovery requests (see cover page, signature page and proofs of service, attached hereto as **Exhibits 1, 2, 3, 4, and 5**). Indeed, even the Appellants’ Privilege Log and supplement were served as joint documents by all Appellants in all five cases (see **Exhibits 1 and 6**). It was these

joint responses by Appellants in all five cases that the lower court found to be inadequate, resulting in the Sanctions Order.²

The critical issue in this Motion to Dismiss is whether Appellants served their Notice of Appeal within 30 days after “receipt of written notice of entry” of the Order denying their Motion for Reconsideration (of the Sanctions Order). See Rule 203(b)(1), SCACR; see also Rule 59(f), SCRCRCP.

Appellants’ attorneys acknowledge that they received written notice of the entry of the Order Denying Motion for Reconsideration from the Charleston County Clerk of Court no later than October 1, 2010. See Exhibit E to Memorandum in Support of Respondents’ Motion to Dismiss (Notice of Appeal in *Rentz, et al. v. Orleans Gardens, et al.*, Case No. 2010176826, at p.2, ¶ 9). Thus, the Appellants’ attorneys, and through them the Appellants, had first-hand knowledge of the single Sanctions Order, the single Motion for Reconsideration, and actual written notice, on October 1, 2010, that the Charleston County Clerk of Court had entered the single Order Denying Motion for Reconsideration. Yet, Appellants contend that the written notice of entry of the single Order Denying Motion for Reconsideration, which they admittedly received on October 1, 2010, was not effective so as to start the time for their appeal in this case. Appellants’ position is untenable.

² In January, 2010, after dismissal of the single appeal to this Court, which was filed jointly by Appellants in all five cases, and denial of their single, joint Petition for Writ of Prohibition or in the Alternative Writ of Certiorari in the Supreme Court, the *Parkview* Appellants, alone, served amended responses to Respondents’ discovery requests that did not cure the prior deficiencies.

B. “Notice of Entry of the Order or Judgment”

Rule 203(b)(1), SCACR, requires that a party serve his notice of appeal on all respondents “within thirty (30) days after receipt of written notice of entry of the order or judgment.” It does not specify who must provide the notice, or even what the notice must state, other than “notice of entry of the order.” In this case, Appellants received a signed and file-stamped (*i.e.*, entered and final) copy of the **single** Order Denying Motion for Reconsideration on October 1, 2010. It clearly applied on its face to all five cases, in both the caption and the body of the Order. It denied the combined motion of Appellants in all five cases for reconsideration of the Sanctions Order, which, itself, applied to all five cases. The copy received by Appellants clearly showed that the Order had been signed by Judge Early and entered by the Charleston County Clerk of Court. Like the Sanctions Order and the plaintiffs’ Motion for Reconsideration before it, the file-stamped Order Denying Motion for Reconsideration was a single and indivisible instrument. Once the instrument was entered, it was entered for all purposes stated therein. This is in accord with the established law of South Carolina.

In short, Appellants had **literally** received “notice of entry of order.” **Substantively**, they were also on notice that the Order was final, *i.e.*, could not be withdrawn or amended without further order of the Court. **Administratively**, the Order had been entered by all clerks of court on September 20, 2010, and this information was publicly available on the respective clerks’ online dockets within a week of Appellants’ receipt of the October 1, 2010 notice, if not sooner (see Exhibit 7, Craddock Affidavit at Paragraph 8).

In Upchurch v. Upchurch, 367 S.C. 16, 624 S.E.2d 643 (2006), the Supreme Court of South Carolina considered the key language in Rule 203(b), SCACR, “receipt of written notice of entry of the order or judgment.” The court focused on notice of the *entry* of the order or judgment, noting:

An order is not final until it is entered by the clerk of court; and until the order or judgment is entered by the clerk of the court, the judge retains control of the case. *Bowman v. Richland Mem'l Hosp.*, 335 S.C. 88, 91, 515 S.E.2d 259, 260 (Ct. App. 1999) (citations omitted). However, “the moment [the order] is filed by the clerk of court, it becomes the judgment of the court, and fixes the rights of the parties.” *Archer v. Long*, 46 S.C. 292, 295, 24 S.E.2d 83, 84 (1896). Stated otherwise, the effective date of an order is not when it is signed by the judge, but when it is entered by the clerk of court. *Bowman*, 335 S.C. at 93, 515 S.E.2d at 261.

Id. at 22-23, 646. In the present case, it is undisputed that the written notice that Appellants received on October 1, 2010, revealed that the **single** Order Denying Motion for Reconsideration, which applied on its face and by its terms to all five cases (including the instant case), **had been entered by the clerk of court**. The clerk did not and could not enter a mere *part* of the single, indivisible Order Denying Motion for Reconsideration. The entire Order had been entered, it was effective in its entirety, and thus, upon receipt of written notice of entry of the Order, the time for appeal began with respect to *all cases* and *all issues* affected by the filed Order. In the words of Upchurch, the moment the Order was filed by the clerk of court, it became the judgment of the court, and fixed the rights of the parties. Id. at 22-23, 646.

The ultimate holding in Upchurch, that the appellant’s notice of appeal was timely, does not apply in this case. In Upchurch, the respondent claimed the notice of appeal was not timely because it was served more than 30 days after appellant received a copy of the court’s letter to the clerk of court enclosing the signed order for filing, though

the appellant in that case had not received notice of *entry* of the order until later. In the instant case, though Appellants did receive a copy of the court's September 16, 2010 letters to the clerks of court enclosing the signed Order and instructing the clerks to perform the ministerial task of filing it, **Respondents rely on the subsequent written notice of entry of the Order from the clerk of court on October 1, 2010**, more than 60 days before Appellants filed their Notice of Appeal. The receipt of notice is not disputed, as Appellants' counsel acknowledge receipt of notice of entry of the Order from Charleston County on October 1, 2010, in the Notice of Appeal filed in the *Orleans Gardens* case. "Entry of the order occurs when the clerk of court files the order. . . . Accordingly, we hold that the time to file a notice of appeal pursuant to Rule 203(b), SCACR, begins to run when written notice that the order has been entered into the record by the clerk of court has been received." *Id.* at 24, 647. Thus, the holding in Upchurch supports a finding that Appellants failed to timely serve their Notice of Appeal in this case.

This Court's opinion in Rosen, Rosen & Hagood v. Hiller, 307 S.C. 331, 415 S.E.2d 117 (Ct. App. 1992) (cited by the Supreme Court in Upchurch), addresses the type and quality of notice that is sufficient to satisfy the requirement of "notice of entry of the order or judgment." Though Rosen does not directly address timely notice of appeal under Rule 203(b), SCACR, it does address the question of sufficient notice under Rule 77(d), SCRCPC, which includes the same "notice of the entry of an order or judgment" language. Rosen makes it clear that the person providing notice of entry of an order need not be the clerk of court, nor must the notice include an actual copy of the signed and recorded order. *Id.* at 334-35, 118-19 (discussing Rule 77(d), SCRCPC, which provides

that the clerk shall serve a notice of entry of an order by first class mail upon every party affected thereby, **but** such mailing “shall not be necessary to parties who have already received notice” Id. at 118, 334). See also Official Notes to Rule 77, SCRCPC (“This Rule 77 is substantially identical to the Federal Rule and present State practice. The only additions are the requirement in Rule 77(d) that the Clerk mail notice of entry of orders or judgment, **unless (as is customary) they have been notified, usually by the judge...**” (emphasis added)).

In Rosen, the court issued an order on April 11, 1989, denying the appellants’ motion to transfer venue. The respondent mailed a letter to counsel for the appellants on April 17, 1989, enclosing unsigned, undated, and unfiled copies of the April 11 order, and stating, “In the event you have not received copies directly from the clerk’s office, I am enclosing copies of an order denying your motion for Change of Venue...” Rosen, 307 S.C. at 332-33 (including Note 1), 415 S.E.2d at 117. This Court held the April 17 notice from respondent was sufficient to constitute notice to appellants of the order’s filing. Id. at 335, 119. In light of the holding in Rosen, the notice of entry of the Order Denying Motion for Reconsideration, which Appellants received from the clerk of court on October 1, 2010, is clearly sufficient.

As a result of Appellants’ failure to timely serve their Notice of Appeal as required by Rule 203(b)(1), SCACR, this Court lacks subject matter jurisdiction over this appeal and the appeal must be dismissed. See USAA Property and Casualty Insurance Co. v. Clegg, 377 S.C. 643, 651, 661 S.E.2d 791, 795 (2008).

II. APPELLANTS' CURRENT CLAIM OF INSUFFICIENT NOTICE OF ENTRY OF THE ORDER IS CONTRARY TO ITS PRIOR FILINGS THROUGHOUT THE LITIGATION

Appellants in all five cases seem to argue that they must receive written notice of entry of an Order from the clerk of court of the county in which they filed their lawsuit before there is the requisite “finality” necessary to appeal (or by extension, file a Rule 59(e) motion). History does not support their position.

Prior to the service of the untimely Notice of Appeal that initiated this appeal, Appellants made numerous Motions for Reconsideration, pursuant to Rule 59(e), SCRCF, and an earlier Notice of Appeal (dismissed as premature because it sought review of an interlocutory discovery order), in the five related cases, including the case giving rise to this appeal. In each of those instances preceding entry of the pivotal Order Denying Motion for Reconsideration, spanning from December 2008 through September 2010, Appellants in all five cases filed a single Rule 59 Motion or Notice of Appeal, **without having first received notice of entry of the subject orders from each of the three clerks of court**, as they *now* claim is necessary. This is significant because the relevant language in Rule 203(b)(1), SCACR (“after receipt of written notice of entry of the order or judgment”), is virtually the same as the relevant language in Rule 59(e), SCRCF (“after receipt of written notice of the entry of the order”). Appellants’ history of filing Rule 59 Motions and a prior Notice of Appeal in all five cases without first receiving notice of entry by each of the clerks, coupled with the notice they *actually* received of the entry of the single Order Denying Motion for Reconsideration in these

cases, highlight the incongruity of Appellants' current argument that they did not have sufficient notice of the entry of the Order as of October 1, 2010.

The information pertaining to Appellants' various Rule 59 motions and previous appeal, the entry of the subject orders by the clerks of court, and the notice (or lack thereof) received from the clerks is presented more fully in the Affidavit of Hugh Craddock, which is attached hereto as **Exhibit 7**. The information presented concerning the entry of the subject orders and any notice sent to the parties by the clerks of court is based on the information published on each of the three clerks' online dockets for these cases. See Rule 77(d), SCRCP ("Immediately upon the entry of an order or judgment the clerk shall serve a notice of the entry by first class mail upon every party affected thereby ..., **and shall make a note in the case file or docket sheet of the mailing.**" (emphasis added)). These prior instances, which unanimously contradict Appellants' current position as to the sufficiency of the October 1, 2010 notice of entry of the Order Denying Motion for Reconsideration, are summarized as follows:

- **Order Denying Plaintiffs' Motion to Compel No. 2 (12/17/08)**
 - Order entered by the Beaufort clerk on 12/23/08;
 - service of Plaintiffs' single Motion to Alter or Amend for all five cases on 12/30/08;
 - Order entered by the Charleston clerk on 12/31/08 and by the Orangeburg clerk on 1/5/09;
 - no record of notice of entry of Order sent by any clerk.
- **Order Appointing the Honorable Gary E. Clary as Special Master for Resolution of Specified Discovery Disputes (12/30/08)**
 - Order entered by the Beaufort clerk on 1/6/09, by the Orangeburg clerk on 1/8/09, and by the Charleston clerk on 1/12/09;

- service of Plaintiffs' single Motion to Alter or Amend for all five cases on 1/13/09;
- no record of notice of entry of Order sent by any clerk.
- **Order Granting in Part and Denying in Part Plaintiffs' Motion to Compel, Dated July 29, 2005 (3/3/09)**
 - Order entered by the Beaufort clerk on 3/9/09;
 - service of Plaintiffs' single Motion to Alter or Amend for all five cases on 3/13/09;
 - Order entered by Orangeburg clerk on 3/17/09;
 - no record of notice of entry of Order sent by any clerk.
- **Order Granting Defendants' Motion to Compel, Dated November 6, 2008 (3/3/09)**
 - Order entered by the Beaufort clerk on 3/10/09;
 - service of Plaintiffs' single Motion to Alter or Amend for all five cases on 3/13/09;
 - Order entered by Charleston clerk on 3/16/09;
 - Charleston clerk sent notice of entry of Order to the parties on 3/20/09;
 - no record of notice of entry of Order sent by any other clerk.
- **Order (Granting Motion to Continue the Trial) (3/9/09)**
 - Order entered by the Beaufort clerk on 3/16/09, by the Charleston clerk on 3/19/09 and by the Orangeburg clerk on 3/20/09;
 - service of Plaintiffs' single Motion to Alter or Amend for all five cases on 3/23/09;
 - Charleston clerk sent notice of entry of Order to the parties on 3/24/09;
 - no record of notice of entry of Order sent by any other clerk.
- **Order Adopting Findings and Conclusions of Special Master Clary (6/2/09)**
 - order entered by the Beaufort clerk on 6/4/09;

- Service of Plaintiffs' single Motion to Alter or Amend for all five cases on 6/11/09;
- no record of notice of entry of Order sent by any clerk.
- **Order Amending Court's Order Dated June 2, 2009 (7/28/09)**
 - Order entered by the Beaufort clerk on 8/3/09 and by the Orangeburg and Charleston clerks on 8/6/09;
 - Charleston clerk sent notice of entry of Order to the parties on 8/12/09;
 - no record of notice of entry of Order sent by any other clerk;
 - service of **Plaintiffs' single Notice of Appeal for all five cases** on 9/10/09 (i.e., within 30 days of receipt of written notice from the Charleston County Clerk that it had entered the subject order; *compare* to the present facts).
- **Order Granting Defendants' Two Motions for Sanctions, Finding Plaintiffs in Contempt of Court, and Dismissing the Above-Captioned Actions as Sanctions for Plaintiffs' Contempt (4/6/10)**
 - Order entered by the Orangeburg clerk on 4/8/10 and by the Beaufort and Charleston clerks on 4/9/10;
 - Beaufort clerk sent notice of entry of Order to the parties on 4/12/10;
 - Charleston clerk sent notice of entry of Order to the parties on 4/15/10;
 - no record of notice of entry of Order by Orangeburg clerk;
 - service of Plaintiffs' single Motion for Reconsideration, Alteration or Amendment for all five cases on 4/22/10;
 - *Order Denying Motion for Reconsideration signed 9/16/10, and entered by all three clerks of court on 9/20/10 (Appellants' counsel acknowledges receipt of written notice of entry of the Order from Charleston County Clerk of Court on 10/1/10)*

Appellants' current position, that it could not or need not serve Notice of Appeal in each of the five affected cases until it received written notice of entry of the Order from each of the respective clerks of court, is a clear departure from their prior Rule

59(e), SCRCF, and Rule 203(b)(1), SCACR, practices in this litigation, as well as the parties' and the trial court's treatment of the motions and orders as consolidated for all intents and purposes.

III. MISCELLANEOUS ARGUMENTS ADVANCED BY APPELLANTS

Appellants make a number of arguments, which are not relevant to the narrow issue presented by Respondents' Motion to Dismiss. These arguments are addressed briefly below. More than anything, Appellants focus on *entry* of the Order Denying Motion for Reconsideration in each of the three counties, but that is not the issue in the Motion to Dismiss, in light of the fact that the Order was *entered by each of the clerks of court* on September 20, 2010. The issue is whether the written notice of entry of the Order received by Appellants' counsel on October 1, 2010 was sufficient to commence the time for serving Notice of Appeal in each of the five cases affected by the entered Order.

A. **Appellants claim that their attorneys never received notice that the Order Denying Motion for Reconsideration had been entered by the Orangeburg County Clerk of Court.**

Appellants claim in their Return, dated January 28, 2011 (and their attorneys, Mr. Bailey and Mr. Pendarvis, and a paralegal, Ms. Clark, claim in sworn affidavits attached to the Return), that their attorneys had not, as of that date, received written notice of the entry of the Order Denying Motion for Reconsideration by the Orangeburg County Clerk of Court. In fact, Ms. Clark states that, when she spoke with the Orangeburg Clerk of Court's office on November 29, 2010, it did not have a copy of the Order and she has not heard from the clerk's office on the subject since. Appellants' claim is as puzzling as it is

ludicrous. **The Amended Notice of Appeal filed by Appellants’ attorneys (Bailey and Pendarvis) in the *Roosevelt Gardens* appeal** (Court of Appeals Case No. 2010180086; Appeal from Orangeburg County Court of Common Pleas) on or about January 28, 2011, states, at Paragraph 9: **“Order denying Plaintiffs’ motion for reconsideration, dated September 16, 2010, filed on September 20, 2010, and receipt of written notice of entry of which was received by Counsel for Appellants on October 1, 2010, a copy of which is attached as Exhibit 9.”** See Exhibit 10 hereto (emphasis added). Further, the copy of the Order attached to the Amended Notice of Appeal (and to the original December 3, 2010 Notice of Appeal) as Exhibit 9 is file-stamped, and clearly bears the “True Copy” stamp of the Orangeburg County Clerk of Court. As if the above were not enough, the Orangeburg County Clerk of Court’s online docket shows that the Order was entered on September 20, 2010, as a matter of public record (see Exhibit 7, Craddock Affidavit at Paragraph 10 and Exhibit G thereto). In light of this irrefutable evidence, Appellants’ current claim that they have not yet received sufficient notice of entry of the Order by Orangeburg County begs the question: Exactly what would Appellants concede constitutes sufficient notice of entry of the Order under Rule 203(b)(1), SCACR?

B. Appellants argue the five related cases should not be treated as a group.

Appellants argue that the five cases involve different persons, different partnerships, different properties and, though the claims for breach of fiduciary duties are the same, each case has specific facts and circumstances that are applicable only to it and not to the other cases. They imply that it would be unfair and inequitable to group the cases together. This ignores the fact that the Appellants’ inadequate discovery responses, which prompted the General Discovery Order (3/3/09) and Privilege Discovery Order

(7/28/09), and which ultimately resulted in the Sanctions Order (4/6/10) due to Appellants' continuing failure to comply, were joint and combined responses of all plaintiffs in all five cases (see e.g., **Exhibits 1-5** hereto), without differentiating the responses provided or objections made among the plaintiffs in the five cases. All plaintiffs in all five cases responded to Respondents' discovery requests with a singular shotgun approach, yet now they argue that they should be treated separately. The fact that each case involves a different property, and that there is some variance in the plaintiffs from case-to-case (though all were represented by attorneys Bailey and Pendarvis), does not affect the commonality of the inadequate joint discovery responses or the unified contempt of court of all plaintiffs in all five cases. Further, as shown above, the procedural history of the case is that Judge Early's orders, not *just* the Order Denying Motion for Reconsideration that triggered the time for appeal, were single orders applicable to all five cases, as were the motions of plaintiffs and defendants.

In any event, all Appellants in all five cases were fully aware of the single entered Sanctions Order, their single, consolidated Motion for Reconsideration of the Sanctions Order, and, as of October 1, 2010, the single entered Order Denying Motion for Reconsideration.

C. Appellants now complain of the "single order, multiple caption format" utilized in the five related cases.

Appellants argue that Respondents used a single order, multiple caption format for their proposed order, which was ultimately signed by Judge Early on April 6, 2010 (the Sanctions Order), that this was improper, and that individual Appellants should not be penalized because of that format. First, notice of entry of the Order Denying Motion for Reconsideration, which was entered on September 20, 2010, triggered the start of the

time for appeal, not the Sanctions Order. The Order Denying Motion for Reconsideration was drafted by Judge Early, without assistance from any counsel, and in response to *Respondents'* single, consolidated Motion for Reconsideration. Second, Appellants conveniently ignore the history of all parties and the trial court using such a consolidated format for filings (discovery, motions, memoranda and orders) in the five cases.

At least as early as August 2006, three and one-half years before the Sanctions Order was ever entered, Appellants themselves used a multi-caption format in responding to various memoranda of law, and even captioned the cases as being "consolidated cases" (see Exhibit 8 hereto). This consolidated format was utilized by all parties, and Judge Early, during the litigation. In fact, Appellants in this case, as well as the four related cases, filed a single Notice of Appeal in this Court on September 10, 2009, as a consolidated appeal on behalf of all plaintiffs in all five cases (see Exhibit 9 hereto). That was seven months before the Sanctions Order was entered. That appeal was ultimately dismissed as being a premature appeal from an interlocutory discovery order, but that consolidated appeal, as well as the various motions, discovery responses and orders referenced in the parties' memoranda relating to the instant Motion to Dismiss, all demonstrate that the parties and the trial court consistently treated the five cases as a consolidated group. The fact that Appellants never before voiced their complaint regarding the single order, multi-caption format, but actually utilized that format themselves, speaks volumes as to the legitimacy of their complaint now. For Appellants to claim Respondents sought some unfair advantage by utilizing a combined case caption, under these circumstances, is wrong.

In any event, and focusing on the issue at hand, what is important is that Appellants had actual knowledge of the entry of the single, multi-captioned Order Denying Motion for Reconsideration upon their receipt of the written notice from the clerk of court on October 1, 2010.

D. Each of South Carolina's counties is a separate body politic.

Respondents agree that each of the State's counties is a separate body politic, and that each county has a clerk of court, etc., but those facts have no relevance in the current Motion to Dismiss. The purpose of Rule 203(b)(1), SCACR, is to provide an aggrieved party a time frame in which to timely file an appeal. In the absence of a timely notice of appeal, the Court is without jurisdiction. Here, as set forth supra, the filing of the single, indivisible Order in Charleston alone made it a final Order, as it could not be altered, amended, or withdrawn without a separate order of the Court. In fact, the Order was entered by each of the three clerks of court on September 20, 2010, a fact that was reflected in the public record, i.e., the clerks' online dockets. Appellants were on notice that the Order was final no later than October 1, 2010, when they received written notice of its entry from the Charleston County Clerk of Court. In light of these facts, Appellants' counsel could not reasonably be said to have been oblivious to the entry of the Order after October 1, 2010, let alone a month later. Appellants should not be allowed to escape the consequences of the notice of entry of the Order by hiding their heads in the sand.

E. Appellants claim the Respondents' Motion to Dismiss is defective.

Appellants' construction of Rule 240(c)(3), SCACR, is so strained as to require little response. Respondents are required to attach an affidavit to their Motion to Dismiss

(or Memorandum in Support) if Respondents rely on affidavit testimony in support of their Motion. Respondents did not rely on affidavit testimony in support of their Motion to Dismiss (though they do rely on the Affidavit of Hugh Craddock now, in rebuttal to Appellants' arguments, and Mr. Craddock's affidavit is attached hereto). The documents attached to Respondents' Motion to Dismiss and supporting memorandum were the very documents attached to Appellants' Notice of Appeal, with the sole exception of Appellants' Motion for Reconsideration of the lower court's Sanction Order. It is respectfully submitted that it is not necessary to file an affidavit to authenticate documents already before the Court of Appeals and filed by the opposing party. In an abundance of caution, Respondents attach hereto the Affidavit of Ellis M. Johnston, II (see Exhibit 13), for the purpose of authenticating certain documents filed in the lower court.

F. Appellants contend the Order denying their Motion for Reconsideration was not final because there was then pending a Motion for Recusal and Vacation of Prior Orders and a Motion for Protective Order.

First, it is difficult to imagine a more final order than one which dismisses a case, i.e., the Sanctions Order.

Second, Appellants' Motion for Reconsideration of the trial court's Sanctions Order presented the same issues as were presented in Appellants' separate motions for recusal and for protective order:

This motion is subject to and not in wavier of the Plaintiffs' pending Motion for Recusal and Vacation of Orders and Motion for Protective Order; Plaintiffs specifically reserve all positions or objections stated in any prior motions or submissions concerning the qualification of Judge Doyet A. Early, III to issue rulings or preside over proceedings in these cases, and that his participation in this litigation is prohibited by the

Canons of Judicial Ethics and the existing laws and constitutions of this state and of the United States of America.

See Exhibit 11 hereto, Motion for Reconsideration at p. 2. Among the reasons espoused by Appellants in support of their Motion for Reconsideration was:

[The Sanctions Order] is tainted in its entirety due to the bias and prejudice of the issuing Judge, as demonstrated herein and in the Plaintiffs' pending Motion for Recusal and Vacation of Orders...

See Exhibit 11, Motion for Reconsideration at p. 3. Appellants' Motion for Reconsideration, attached in its entirety to the Memorandum in Support of Respondents' Motion to Dismiss as Exhibit C, is 52 pages long, and argues extensively the same grounds that are argued in Appellants' separate motions for recusal and for protective order. Thus, the Order denying Appellants' Motion for Reconsideration implicitly, if not expressly, denied Appellants' Motion for Recusal and Vacation of Prior Orders and Motion for Protective Order.

Appellants, after being informed of Judge Early's ruling on their Motion for Reconsideration, requested a separate written Order on the Recusal Motion and the Protective Order Motion (see Exhibit 12 hereto). Judge Early accommodated that request. This did not make the Order denying Appellants' Motion for Reconsideration any less final.

G. Appellants' "fairness and equity" argument

Appellants take the Supreme Court's discussion of the principles of fairness and equity in Upchurch out of context. In Upchurch, the court stated, "To hold Wife responsible for notice of an event [filing of the order by the clerk of court] that had not yet occurred runs afoul of the notions of fairness and equity articulated in *Bowman*." Upchurch, 367 S.C. at 24, 624 S.E.2d at 646-47 (citing Bowman v. Richland Mem'l

Hosp., 335 S.C. 88, 515 S.E.2d 259 (Ct. App. 1999)). That is not the case here, as all clerks had filed the Order on September 20, 2010, before the Appellants' counsel received notice of entry of the Order on October 1, 2010. Under the facts in the instant case, equitable relief from the consequences of Appellants' failure to comply with Rule 203(b), SCACR, is not available, as a matter of law. "The requirement of service of the notice of appeal is jurisdictional, i.e., if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to 'rescue' the delinquent party by extending or ignoring the deadline for service of the notice." USAA Property and Casualty Insurance Co. v. Clegg, 377 S.C. 643, 651, 661 S.E.2d 791, 795 (2008) (quoting Elam v. S.C. Dep't of Transp., 361 S.C. 9, 14-15, 602 S.E.2d 772, 775 (2004)).

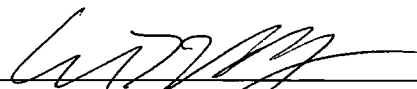
In addition, it is clear that, even giving Appellants the reasonable benefit of the doubt, they failed to exercise any semblance of vigilance or diligence in this matter. Under these circumstances, "the ancient maxim that 'equity aids the vigilant and diligent' operates to deprive [the litigant] of any possible relief in equity." Collins v. Sigmon, 299 S.C. 464, 468, 385 S.E.2d 835, 837 (1989) (citing Hemingway v. Mention, 228 S.C. 211, 89 S.E.2d 369 (1955)).

IV. CONCLUSION

In light of the above, Respondents respectfully submit that the instant appeal should be dismissed as a result of Appellants' failure to serve their Notice of Appeal within 30 days of receipt of written notice of the entry of the Order denying their Motion for Reconsideration.

Respectfully Submitted,

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FAX. 843.524.9501

November 14, 2008

VIA E-MAIL AND U.S. MAIL

Calvin T. Vick, Jr., J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602
tvick@hsblawfirm.com

Re: Lawrence H. Davis, Jr., et al. v. Parkview Apartments, et al.
Lawrence H. Davis, Jr., et al. v. Palmetto Apartments, et al.
Carolina Management Corp. of Beaufort, et al. v. Pinewood Park Apts., et al.
Rhoda G. Rentz, et al. v. Orleans Gardens, et al.
Lawrence H. Davis, Jr., et al. v. Roosevelt Gardens, et al.

Dear Ted:

Enclosed please find for service upon you as counsel for Defendants in the foregoing *Parkview*, *Palmetto*, *Orleans Gardens*, and *Roosevelt I* matters, PLAINTIFFS' RESPONSES TO DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS DATED AUGUST 28, 2008, and PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG dated November 14, 2008.

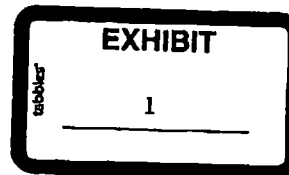
With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis, J.D.

TAP/pdh
Enclosures



Page 2
November 14, 2008

cc: Joel D. Bailey, J.D. (via e-mail w/enclosures)
Ellis M. Johnston, II, J.D. (via e-mail and U.S. Mail w/enclosures)
Marvin D. Infinger, J.D. (via e-mail and U.S. Mail w/enclosures)
Jesse C. Belcher, J.D. (via e-mail and U.S. Mail w/enclosures)
Anne Ross Rosen, J.D. (via e-mail and U.S. Mail w/enclosures)

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

CONSOLIDATED CASES:

2005-CP-07-1990 (Beaufort) (**Pinewood**)
2005-CP-07-1989 (Beaufort) (**Palmetto**)
2005-CP-10-4229 (Charleston) (**Orleans**)
2005-CP-38-1131 (Orangeburg) (**Roosevelt**)

**PLAINTIFFS' RESPONSES TO
DEFENDANTS' DISCOVERY
REQUESTS TO ALL PLAINTIFFS
DATED AUGUST 28, 2008**

TO: MARVIN D. INFINGER, J.D., ANNE ROSS ROSEN, J.D., ELLIS M. JOHNSTON, II, J.D., JESSE C. BELCHER, J.D., AND CALVIN T. VICK, J.D., ATTORNEYS FOR DEFENDANTS:

Pursuant to Rules 26, 33, and 34, SCRCP, Plaintiffs¹ in all of the above-captioned actions² hereby serve Defendants with their full and complete responses to DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS IN THE ABOVE-CAPTIONED ACTIONS, DATED AUGUST 28, 2008.

¹ Contrary to Defendants' definition of "Plaintiffs" in the subject discovery requests that improperly includes Plaintiffs' counsel, the term "Plaintiffs" as used herein refers only to the named Plaintiffs.

² Pursuant to the agreement between counsel in these consolidated matters suspending discovery activities in the *Pinewood* matter 2005-CP-07-1990 (Beaufort), these discovery responses are made only by and on behalf of the Plaintiffs in the remaining four cases.

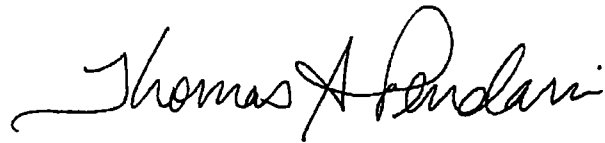
discovery of evidence admissible at the trial of this case.

INTERROGATORY NO. 24: Set forth the name and address of each person who participated in answering the interrogatories contained herein.

ANSWER: Counsel for Plaintiffs, and Plaintiffs to a limited extent.

Joel D. Bailey
THE BAILEY LAW FIRM, P.A.
PO Box 1437
Beaufort SC 29901-1437
843.525.6090 Tel.
843.525.6070 Fax.
baileylawfirm@charter.net

PENDARVIS LAW OFFICES, P.C.



Thomas A. Pendarvis, J.D. (S.C. Bar # 064918)
500 Carteret St Ste A
Beaufort SC 29902-5066
843.524.9500 Tel.
843.524.9501 Fax.
Thomas@PendarvisLaw.com

Attorneys for Plaintiffs

Beaufort, South Carolina

November 14, 2008

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Parkview 1951-1952	09/30/2003	Bailey	Adams	Fax Letter	Work Product
Parkview 1991	10/31/2003	Davis	Bailey	Fax Letter	Attorney-Client
Parkview 2015-2016	02/22/2004	Bailey	Rentz	Fax Letter and Memorandum	Attorney-Client
Parkview 2073	04/25/2004	Adams	Bailey	Fax Letter	Work Product
Parkview 2083	undated	Bailey		Internal Memorandum	Work Product
Parkview 2088	05/26/2004	Rentz	Bailey	Fax Letter	Attorney-Client
Parkview 2101	06/08/2004	Bailey		Internal Memorandum	Work Product
Parkview 2114-2115	06/28/2004	Bailey	Davis, Rentz, Miller, Pike, Reynolds	Letter	Attorney-Client
Parkview 2143	08/02/2004	Bailey	Clients	Letter	Attorney-Client
Parkview 2165-2168	08/24/2004	Pike	Bailey	Fax Letter	Attorney-Client
Parkview 2177-2182	09/16/2004	Davis	Bailey	Memorandum	Attorney-Client
Bailey 3059	02/16/2000	Bailey	Davis	Letter	Attorney-Client
Bailey 3060	02/17/2000	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 3067-3069	02/21/2000	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 3070-3072	02/24/2000	Davis	Bailey	Memorandum	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 3073	02/25/2000	Rentz	Davis/ Bailey	Fax Letter	Attorney-Client Work Product
Bailey 3077-3078	03/20/2000	Davis	Bailey	Memorandum	Attorney-Client
Bailey 3082	03/23/2000	Davis	Bailey	Letter	Attorney-Client
Bailey 3105	04/20/2000	Bailey	Davis	Letter	Attorney-Client
Bailey 3148	06/05/2000	Bailey	Aughtman	Letter	Work Product
Bailey 3151	06/14/2000	Aughtman	Bailey	Fax Letter	
Bailey 3152	06/05/2000	Bailey	Aughtman	Letter	Work Product (copy of above)
Bailey 3153	06/16/2000	Bailey	Advantage Title	Letter	Work Product
Bailey 3154	06/16/2000	Bailey	Advantage Title	Letter	Work Product
Bailey 3155 - 3156	06/20/2000	Bailey	Davis	Letter	Attorney-Client
Bailey 3180	07/24/2000	Bailey	Advantage Title	Letter	Work Product
Bailey 3209-3212	08/24/2000	Bailey	Advantage Title	Letter	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 3215	08/31/2000	Bailey	Advantage Title	Letter	Work Product
Bailey 3216	09/01/2000	Bailey	Adams	Letter	Work Product
Bailey 3217	09/07/2000	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 3316	10/06/2000	Bailey	Davis	Fax Letter	Attorney-Client
Bailey 3317	10/09/2000	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 3320	10/10/2000	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 3321	10/10/2000	Davis	Adams	Letter	Work Product
Bailey 3325	10/10/2000	Davis	Bailey	Fax Letter	Work Product
Bailey 3326-3327	10/12/2000	Davis	Harley Ruff	Letter Requesting Legal Services	Attorney-Client Work Product
Bailey 3328	10/16/2000	Bailey	Clients	Letter	Attorney-Client
Bailey 3333	10/20/2000	Davis	Reynolds	Fax Letter	Attorney-Client
Bailey 3334-3335	undated	Bailey		Handwritten Note	Work Product
Bailey 3512	11/02/2000	Bailey	Davis	Fax Letter	Attorney-Client
Bailey 3526-3528	11/29/2000	Davis	Bailey	Memorandum	Attorney-Client
Bailey 3695	01/17/2001	Bailey	Davis	Letter	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 3715-3519	02/09/2001	Bailey	Davis	Letter	Attorney-Client
Bailey 3721-3726	02/16/2001	Bailey	Davis	Fax Letter	Attorney-Client
Bailey 3731-3732	02/17/2001	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 3735	02/14/2001	Bailey	Davis	Letter	Attorney-Client
Bailey 3737	03/18/2001	Davis	Bailey	Handwritten Note	Attorney-Client
Bailey 3738	03/01/2001	Adams	Davis	Fax Letter	Work Product
Bailey 3754-3755	06/05/2001	Bailey	Limited Partners c/o Davis	Letter	Attorney-Client
Bailey 3756-3757	06/05/2001	Robinson	Davis	Letter Responding to Requests for Tax Advice Based on Possible Settlement Legal Action	Work Product
Bailey 3758-3759	06/05/2001	Bailey	Limited Partners c/o Davis	Letter	Attorney-Client
Bailey 3768	06/27/2001	Bailey	Limited Partners	Letter	Attorney-Client
Bailey 3799	04/15/2002	Davis	Bailey	Fax Letter	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 4019-4020	09/19/2002	Bailey	Davis, Rentz, Miller, Pike, Reynolds	Letter	Attorney-Client
Bailey 4043-4044	12/04/2002	Rowell	Bailey	Letter	Work Product
Bailey 4046-4047	01/06/2003	Bailey	Rowell	Letter and E-mail	Work Product
Bailey 4063	03/26/2003	Rowell	Bailey	Letter	Work Product
Bailey 4054	04/11/2003	Bailey	Rowell	Letter	Work Product
Bailey 4055	04/22/2003	Bailey	Davis, Hodge, Miller, Pike, Rentz	Letter	Attorney-Client
Bailey 4107	05/20/2003	Pike	Bailey	Fax Letter	Attorney-Client
Bailey 4125 -4128	08/27/2003	Bailey	C. Bailey	Letter	Work Product
Bailey 4144-4145	09/30/2003	Bailey	Adams	Fax Letter	Work Product
Bailey 4185	10/31/2003	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 4193-4206	10/29/2003	Bailey		Internal Memorandum	Work Product
Bailey 4211-4212	12/29/2003	Bailey		Internal Memorandum	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 4218-4219	04/03/2000	Weinberg	Davis	Letter	Attorney-Client; Work Product; Common Interest Privilege
Bailey 4232-4234	12/29/2003	Bailey		Typewritten Note	Work Product
Bailey 4280-4281	12/29/2003	Bailey		Typewritten Note	Work Product
Bailey 4374	12/20/2003	Bailey		Typewritten Note	Work Product
Bailey 4380-4381	12/29/2003	Bailey		Typewritten Note	Work Product
Bailey 4467-4468	02/15/1999	Davis	Griffin, Hodge, Coastal Contractors	Memorandum	Common Interest Privilege
Bailey 4471	04/02/2000	Griffin	Davis	Handwritten Note	Common Interest Privilege
Bailey 4473	04/02/2000	Griffin	Davis	Handwritten Note	Common Interest Privilege
Bailey 4540-4543	09/05/2000	Davis	Bailey	Letter	Attorney-Client
Bailey 4547	10/11/2000	Bailey	All Limited Partners	Letter	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 4548	10/25/2000	Warren Griffin	Davis	Handwritten Note	Common Interest Privilege
Bailey 4560	03/13/2001	Rentz	Bailey	Fax Letter	Attorney-Client
Bailey 4565	03/08/2001	Miles Hodge	Bailey	Fax Letter	Attorney-Client
Bailey 4572-4575	04/24/2001	Bailey	Hodge	Letter	Attorney-Client
Bailey 4576-4577	08/02/2001	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 4580-4582	08/02/2001	Bailey	Davis, Rentz, Hodge	Fax Letter	Attorney-Client
Bailey 4584-4583	08/07/2001	Rentz	Bailey	Fax Letter	Attorney-Client
Bailey 4591-4592	06/29/2004	Bailey	Rentz / Hodge	Letter	Attorney-Client
Bailey 4593	08/03/2004	Bailey	Rentz / Hodge	Letter	Attorney-Client
Bailey 4763	03/16/2000	Davis	Mercy	Memorandum	Common Interest Privilege
Bailey 4783	06/14/2000	Bailey	Advantage Title	Fax Letter	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 4785-4787	06/14/2000	Advantage Title	Bailey	Hand Written Report	Work Product
Bailey 4804	07/24/2000	Bailey	Advantage Title	Fax Letter	Work Product
Bailey 4808-4809	08/17/2000	Bailey	Advantage Title	Fax Letter	Work Product
Bailey 4810	08/29/2000	Bailey	Mercy	Letter	Attorney-Client
Bailey 4811	09/05/2000	Davis	Mercy	Letter	Common Interest Privilege
Bailey 4027	10/10/2000	Bailey	Adams	Letter	Work Product
Bailey 4831	10/16/2000	Bailey	All Limited Partners	Letter	Attorney-Client
Bailey 4837	11/02/2000	Bailey	Davis	Fax Letter	Attorney-Client
Bailey 4842	03/30/2001	Bailey	Mercy	Fax Letter	Attorney-Client
Bailey 4843	04/06/2001	Bailey	Mercy	Fax Letter	Attorney-Client
Bailey 4846	06/18/2001	Davis	Mercy	Fax Letter	Common Interest Privilege
Bailey 4847-4851	06/26/2001	Bailey	Davis, Mercy	Fax Letter and Memorandum	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 4854	03/15/2002	Rentz	Bailey	Fax Letter	Attorney-Client
Bailey 4859-4868	09/19/2002	Bailey	Haggard	Letter	Attorney-Client; Work Product
Bailey 4874-4875	06/28/2004	Bailey	Haggard, Hodge, Miller, Pike, Rentz	Letter	Attorney-Client
Bailey 4876	07/08/2004	Bailey	Haggard	E-mail	Attorney-Client; Work Product
Bailey 4877	07/23/2004	Haggard	Bailey	Letter	Attorney-Client; Work Product
Bailey 4878	08/02/2004	Bailey	Haggard, Hodge, Miller, Pike, Rentz	Letter	Attorney-Client
Bailey 4885-4886	undated	Bailey		Internal Memorandum Concerning Property Value	Work Product
Bailey 4968	10/30/1998	Wildman	Davis	Letter	Attorney-Client; Work Product; Common Interest Privilege

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 4980	02/09/1999	Davis	Wildman	Letter	Attorney-Client; Work Product; Common Interest Privilege
Bailey 4993	undated	Davis	Bailey	Internal Memorandum	Attorney-Client; Work Product
Bailey 4996	03/16/2000	Davis	James Ivey / Erin Ivey	Internal Memorandum Concerning Lawsuit Investigation	Common Interest Privilege
Bailey 4998	09/05/2000	Davis	Wildman	Letter Concerning Plans for Lawsuit Activities	Common Interest Privilege
Bailey 4999	09/05/2000	Davis	Bailey	Letter	Attorney-Client
Bailey 5002-5004	09/12/2000	Bailey	Wildman	Facsimile with Attachments	Attorney-Client; Work Product
Bailey 5008-5012	09/12/2000	Wildman	Bailey	Facsimile with Attachments	Attorney-Client; Work Product
Bailey 5016	09/14/2000	Wildman	Bailey	Letter	Attorney-Client; Work Product
Bailey 5024	10/10/2000	Bailey	Adams	Letter	Work Product
Bailey 5025	10/16/2000	Bailey	Clients	Letter	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated November 14, 2008)

Bates No.	Date	From	To	Description	Privilege
Bailey 5028	11/02/2000	Bailey	Davis	Fax Letter	Attorney-Client
Bailey 5056	11/14/2000	Davis	Bailey	Fax Letter	Attorney-Client
Bailey 5062	03/16/2001	Wildman	Bailey	Fax Letter	Attorney-Client; Work Product
Bailey 5064	03/26/2001	Bailey	Wildman	Fax Letter	Attorney-Client; Work Product
Bailey 5065-5069	02/09/2001	Bailey	Davis	Letter	Attorney-Client
Bailey 5071	11/28/2001	Wildman	Bailey	Letter	Attorney-Client; Work Product
Bailey 5073	01/31/2002	Wildman	Bailey	Letter	Attorney-Client; Work Product
Bailey 5074	11/28/2001	Wildman	Bailey	Letter	Attorney-Client; Work Product
Bailey 5080-5081	03/15/2002	Wildman	Bailey	Fax Letter	Attorney-Client; Work Product
Bailey 5088-5089	03/29/2002	Bailey	Davis	Fax Letter	Attorney-Client
Bailey 5092	04/08/2002	Wildman	Bailey	Fax Letter	Attorney-Client; Work Product

Bates No.	Date	From	To	Description	Privilege
Bailey 5094-5097	02/25/2003	Wildman	Bailey	Fax Letter	Attorney-Client; Work Product
Bailey 5098	04/21/2003	Wildman	Bailey	Fax Letter	Attorney-Client; Work Product
Bailey 5102	04/29/2003	Wildman	Bailey	Letter	Attorney-Client; Work Product
Bailey 5107-5108	06/29/2004	Bailey	Clients	Letter	Attorney-Client
Bailey 5109-5110	07/07/2004	Wildman	Bailey	Fax Letter	Attorney-Client; Work Product
Bailey 5113	08/02/2004	Bailey	Davis, Ivey, McCarthy, Wildman	Letter	Attorney-Client
Bailey 5114	09/07/2004	Davis	Bailey	Fax Letter	Attorney-Client
	03/00/2008	Pendarvis / Bailey		Valuations & Damages Analysis Memoranda for each Limited Partnership	Work Product; Mediation

PLAINTIFFS' PRIVILEGE LOG

(Dated July 28, 2008)

INDEX

	IDENTIFICATION
All Limited Partners	Document does not differentiate and identify the name of each Plaintiff
Adams	Gregory B. Adams, Expert
Aughtman	Cathy Aughtman, Title Abstractor
Bailey	Joel D. Bailey, J.D., counsel for Plaintiffs
C. Bailey	Chandler Bailey, J.D., consulting counsel
Davis	Laurence H. Davis, Jr., Plaintiff
Griffin	Warren S. Griffin, limited partner in Lincoln, and client of Joel D. Bailey, J.D.
Haggard	Robert Haggard, J.D., counsel for Plaintiff Mercer
Hodge	W. Miles Hodge, Plaintiff's predecessor
Ivey, Erin	Erin Ivey, Plaintiff
Ivey, James	James Ivey, Plaintiff – Earnie Ivey, Plaintiff
McCarthy	Marvin McCarthy, Plaintiff
Mercy	Arthur D. Mercy, Plaintiff – Jane Mercy, Plaintiff
Miller	Jane Miller, Plaintiff

PLAINTIFFS' PRIVILEGE LOG

(Dated July 28, 2008)

INDEX

	IDENTIFICATION
Pike	Mary Jane R. Pike, Plaintiff – James Pike, Plaintiff
Rentz	Rhonda G. Rentz, Plaintiff – Timothy Rentz, Plaintiff
Reynolds	Eva Marie Reynolds, Plaintiff
Robinson	William C. Robinson, CPA, expert tax advisor
Rowell	A. Hoyt Rowell, III, J.D., consulting attorney
Weinberg	Mortimer M. Weinberg, Jr., J.D., Plaintiff
Wildman	Donald B. Wildman, J.D., counsel for Ivey

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and
f/k/a USS Corporation a/k/a and f/k/a
U.S. Shelter Corporation; ISTC
Corporation; N. BartonTuck, Jr.; and
John Doe, a generic designation for a
party or parties whose true identity is
unknown,

Defendants.

CONSOLIDATED CASES:

2005-CP-07-1990 (Beaufort) (Pinewood)
2005-CP-07-1989 (Beaufort) (Palmetto)
2005-CP-10-4229 (Charleston) (Orleans)
2005-CP-38-1131 (Orangeburg) (Roosevelt)

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for PNDARVIS LAW OFFICES, P.C. hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

DOCUMENTS SERVED

1. Plaintiffs' Responses to Defendants' Discovery Requests to All Plaintiffs Dated August 28, 2008; and
2. Plaintiffs' Supplemental Privilege Log (Dated November 14, 2008).

COUNSEL SERVED

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, 3rd Floor
Charleston SC 29401

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
November 14, 2008

<p>STATE OF SOUTH CAROLINA)</p> <p>Laurance H. Davis, Jr., <i>et al</i>, Plaintiffs,)</p> <p style="padding-left: 40px;">-vs-)</p> <p>Roosevelt Gardens, a South Carolina)</p> <p>Limited Partnership, <i>et al</i>, Defendants.)</p> <p>Rhoda G. Rentz, <i>et al</i>, Plaintiffs,)</p> <p style="padding-left: 40px;">-vs-)</p> <p>Orleans Gardens, a South Carolina)</p> <p>Limited Partnership, <i>et al</i>, Defendants.)</p> <p>Laurance H. Davis, Jr., <i>et al</i>, Plaintiffs,)</p> <p style="padding-left: 40px;">-vs-)</p> <p>Palmetto Apartments, a South Carolina)</p> <p>Limited Partnership, <i>et al</i>, Defendants.)</p> <p>Laurance H. Davis, Jr., <i>et al</i>, Plaintiffs,)</p> <p style="padding-left: 40px;">-vs-)</p> <p>Parkview Apartments, a South Carolina)</p> <p>Limited Partnership, <i>et al</i>, Defendants.)</p>	<p>IN THE COURT OF COMMON PLEAS</p> <p>Orangeburg County</p> <p>CA # 2005-CP-38-1131</p> <p>Charleston County</p> <p>CA # 2005-CP-10-4229</p> <p>Beaufort County</p> <p>C/A #2005-CP-07-1989</p> <p>Beaufort County</p> <p>C/A # 03-CP-07-726</p>
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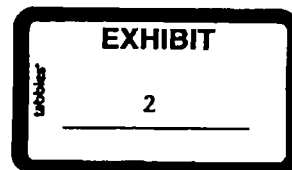
**PLAINTIFFS' SUPPLEMENTAL ANSWERS TO
DEFENDANTS' INTERROGATORIES**

Subject to the objections previously made with respect to Defendants' discovery requests, the Plaintiffs submit the following supplemental answers to the Defendants' Interrogatories:

6. Set forth a list of photographs, plats, sketches, or other prepared documents in the possession of the Plaintiff or counsel that relate to the claim or defense in the case.

ANSWER: In addition to the documents previously produced, Plaintiffs' counsel is in possession of the following documents; copies of said documents are attached to Plaintiffs' Response to Defendants' Request to Produce:

Photograph depicting the ground breaking ceremony of Parkview Apartments in Beaufort, South Carolina.



11. Set forth a list of all exhibits or other documents which may be used in the trial of the case.

ANSWER: Plaintiffs may use any and/or all of the documents set forth in their previous answers to interrogatories and listed in Interrogatory # 6 above, as well as any and/or all of the documents produced by the Defendants, Gary R. Hediger and/or any other documents that may become available through discovery, depositions, subpoenae or FOIA requests.

Respectfully submitted,

PENDARVIS LAW OFFICES, P.C.
500 Carteret Street, Suite A
Beaufort, SC 29902
843-524-9500

and

THE BAILEY LAW FIRM, P.A.
Post Office Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437
(843) 525-6090

ATTORNEYS FOR THE PLAINTIFFS

By: 
Joel D. Bailey

Beaufort, South Carolina
January 22, 2009

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Orangeburg County
Roosevelt Gardens, a South Carolina	)	CA # 2005-CP-38-1131
Limited Partnership, <i>et al</i> , Defendants.)	
Rhoda G. Rentz, <i>et al</i> , Plaintiffs,)	
-vs-	)	Charleston County
Orleans Gardens, a South Carolina	)	CA # 2005-CP-10-4229
Limited Partnership, <i>et al</i> , Defendants.)	
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Beaufort County
Palmetto Apartments, a South Carolina	)	C/A #2005-CP-07-1989
Limited Partnership, <i>et al</i> , Defendants.)	
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Beaufort County
Parkview Apartments, a South Carolina	)	C/A # 03-CP-07-726
Limited Partnership, <i>et al</i> , Defendants.)	

**PLAINTIFFS' SUPPLEMENTAL RESPONSES TO
DEFENDANTS' REQUEST TO PRODUCE**

Subject to the objections previously made with respect to Defendants' discovery requests, the Plaintiffs submit the following supplemental responses to the Defendants' Request to Produce:

2. Any and all correspondence, memos, reports or other written, printed or electronic documents in the possession of any of the Plaintiffs in any way mentioning or relating to the Defendants or the Property or the Limited Partnership.

RESPONSE: See Response to Request for Production # 6 below.

6. All photographs, plats, sketches, documents, papers, records or things of any kind whatsoever relating to Parkview Apartments Limited Partnership and the property which is the subject matter of this litigation.

RESPONSE: The following documents are attached hereto:

Photograph depicting the ground breaking ceremony of Parkview Apartments in Beaufort, South Carolina.

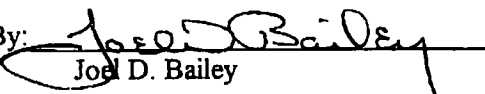
Respectfully submitted,

PENDARVIS LAW OFFICES, P.C.
500 Carteret Street, Suite A
Beaufort, SC 29902
843-524-9500

and

THE BAILEY LAW FIRM, P.A.
Post Office Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437
(843) 525-6090

ATTORNEYS FOR THE PLAINTIFFS

By: 
Joe D. Bailey

Beaufort, South Carolina
January 22, 2009

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Orangeburg County
Roosevelt Gardens, a South Carolina	)	CA # 2005-CP-38-1131
Limited Partnership, <i>et al</i> , Defendants.)	
Rhoda G. Rentz, <i>et al</i> , Plaintiffs,)	
-vs-	)	Charleston County
Orleans Gardens, a South Carolina	)	CA # 2005-CP-10-4229
Limited Partnership, <i>et al</i> , Defendants.)	
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Beaufort County
Palmetto Apartments, a South Carolina	)	C/A #2005-CP-07-1989
Limited Partnership, <i>et al</i> , Defendants.)	
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Beaufort County
Parkview Apartments, a South Carolina	)	C/A # 03-CP-07-726
Limited Partnership, <i>et al</i> , Defendants.)	

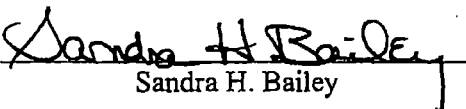
CERTIFICATE OF MAILING

I, Sandra H. Bailey, of THE BAILEY LAW FIRM, P.A., attorneys for the Plaintiffs herein, do here certify that on the 22nd day of January, 2009, I mailed a copy of the Plaintiffs' Supplemental Discovery Reque (Interrogatories and Request for Production), the same being addressed to:

Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
75 Beattie Place, 11th Floor
Greenville, South Carolina 29601

Calvin T. Vick, Esquire
Haynsworth Sinkler Boyd, P.A.
75 Beattie Place, 11th Floor
Greenville, South Carolina 29601

THE BAILEY LAW FIRM, P.A.
P.O. Box 1437
Beaufort, South Carolina 29901-1437
843-525-6090

By: 
Sandra H. Bailey

Beaufort, South Carolina
January 22, 2009

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT
Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

CONSOLIDATED CASES:

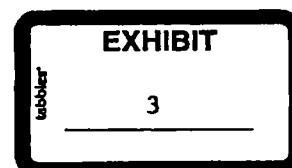
2005-CP-07-1990 (Beaufort) (**Pinewood**)
2005-CP-07-1989 (Beaufort) (**Palmetto**)
2005-CP-10-4229 (Charleston) (**Orleans**)
2005-CP-38-1131 (Orangeburg) (**Roosevelt**)

**PLAINTIFFS' SUPPLEMENTAL
RESPONSES TO DEFENDANTS'
DISCOVERY REQUESTS TO ALL
PLAINTIFFS DATED AUGUST 28,
2008**

TO: MARVIN D. INFINGER, J.D., ANNE ROSS ROSEN, J.D., JESSE C. BELCHER, J.D., CALVIN T. VICK, J.D., AND ELLIS M. JOHNSTON, II, J.D., ATTORNEYS FOR DEFENDANTS:

Pursuant to Rules 26 and 34, SCRCP, Plaintiffs¹ *in the Parkview Apartments above captioned matter only* hereby serve Defendants with their Supplemental responses to DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS IN THE ABOVE-CAPTIONED ACTIONS, DATED AUGUST 28, 2008. The *Parkview Apartments* matter is currently scheduled for a date-certain trial. PLAINTIFFS' SUPPLEMENTAL RESPONSES TO DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS DATED AUGUST 28, 2008 in the companion captioned cases above, will be supplemented at a later date.

¹ Contrary to Defendants' definition of "Plaintiffs" in the subject discovery requests that improperly includes Plaintiffs' counsel, the term "Plaintiffs" as used herein refers only to the named Plaintiffs.

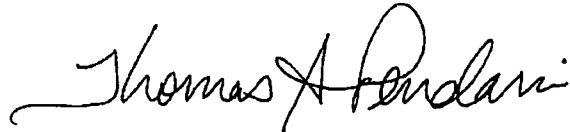


INTERROGATORY NO. 24: Set forth the name and address of each person who participated in answering the interrogatories contained herein.

ANSWER: Counsel for Plaintiffs, and Plaintiffs to a limited extent.

Joel D. Bailey
THE BAILEY LAW FIRM, P.A.
PO Box 1437
Beaufort SC 29901-1437
843.525.6090 Tel.
843.525.6070 Fax.
bailevlawfirm@charter.net

PENDARVIS LAW OFFICES, P.C.



Thomas A. Pendarvis, J.D. (S.C. Bar # 064918)
500 Carteret St Ste A
Beaufort SC 29902-5066
843.524.9500 Tel.
843.524.9501 Fax.
Thomas@PendarvisLaw.com

Attorneys for Plaintiffs

Beaufort, South Carolina

January 26, 2009

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and
f/k/a USS Corporation a/k/a and f/k/a
U.S. Shelter Corporation; ISTC
Corporation; N. BartonTuck, Jr.; and
John Doe, a generic designation for a
party or parties whose true identity is
unknown,

Defendants.

CONSOLIDATED CASES:

2005-CP-07-1990 (Beaufort) (**Pinewood**)
2005-CP-07-1989 (Beaufort) (**Palmetto**)
2005-CP-10-4229 (Charleston) (**Orleans**)
2005-CP-38-1131 (Orangeburg) (**Roosevelt**)

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

DOCUMENTS SERVED

1. PLAINTIFFS' SUPPLEMENTAL RESPONSES TO DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS DATED AUGUST 23, 2008.

COUNSEL SERVED

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, 3rd Floor
Charleston SC 29401

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
January 26, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.)
Parkview Apartments, a South Carolina) Beaufort County
Limited Partnership, et al., Defendants.) C.A. No. 2003-CP-07-0726

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Orangeburg County
Roosevelt Gardens, a South Carolina) C.A. No. 2005-CP-38-1131
Limited Partnership, et al., Defendants.)

Rhoda G. Rentz, et al., Plaintiffs,)
v.) Charleston County
Orleans Gardens, a South Carolina) C.A. No. 2005-CP-10-4229
Limited Partnership, et al., Defendants.)

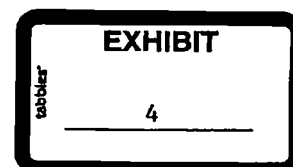
Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Beaufort County
Palmetto Apartments, a South Carolina) C.A. No. 2005-CP-07-1989
Limited Partnership, et al., Defendants.)

Carolina Management Corporation of)
Beaufort, et al., Plaintiffs,)
v.) Beaufort County
Pinewood Park Apartments, a South) C.A. No. 2005-CP-07-1990
Carolina Limited Partnership, et al.,)
Defendants.)

**PLAINTIFFS' SECOND SUPPLEMENTAL RESPONSES TO
DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS DATED
AUGUST 28, 2008**

TO: CALVIN T. VICK, J.D., AND ELLIS M. JOHNSTON, II, J.D., ATTORNEYS FOR DEFENDANTS:

INTRODUCTION

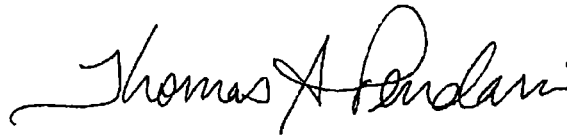


Respectfully submitted,

Joel D. Bailey
THE BAILEY LAW FIRM, P.A.
PO Box 1437
Beaufort SC 29901-1437
843.525.6090 Tel.
843.525.6070 Fax.
baileylawfirm@charter.net

PENDARVIS LAW OFFICES, P.C.
Thomas A. Pendarvis
500 Carteret St Ste A
Beaufort SC 29902-5066
843.524.9500 Tel.
843.524.9501 Fax.
Thomas@PendarvisLaw.com

Attorneys for the Plaintiffs

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is written in a cursive, flowing style.

Thomas A. Pendarvis, J.D. (SC Bar # 064918)

Beaufort, South Carolina

August 24, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Beaufort County
Parkview Apartments, a South Carolina	)	C.A. No. 2003-CP-07-726
Limited Partnership, et al., Defendants.)	
Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Orangeburg County
Roosevelt Gardens, a South Carolina	)	C.A. No. 2005-CP-38-1131
Limited Partnership, et al., Defendants.)	
Rhonda G. Rentz, et al., Plaintiffs,)	
v.	)	Charleston County
Orleans Gardens, a South Carolina	)	C.A. No. 2005-CP-10-4229
Limited Partnership, et al., Defendants.)	
Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Beaufort County
Palmetto Apartments, a South Carolina	)	C.A. No. 2005-CP-07-1989
Limited Partnership, et al., Defendants.)	
Carolina Management Corporation of)	
Beaufort, et al., Plaintiffs,)	
v.	)	Beaufort County
Pinewood Park Apartments, a South	)	C.A. No. 2005-CP-07-1990
Carolina Limited Partnership, et al.,)	
Defendants.)	

CERTIFICATE OF SERVICE

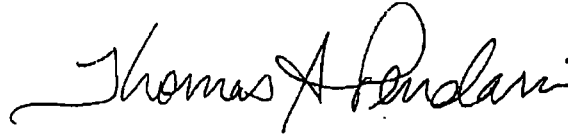
I, Thomas A. Pendarvis, counsel for Plaintiffs in the above-referenced matters, hereby certify that I have served the documents listed below upon all counsel of record by hand-delivery on August 24, 2009:

Documents Served

PLAINTIFFS' SECOND SUPPLEMENTAL RESPONSES TO DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS DATED AUGUST 28, 2008.

Counsel Served

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville SC 29602

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is written in a cursive style with a large, looped initial "T".

Thomas A. Pendarvis, J.D.

Beaufort, South Carolina

August 24, 2009



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

510 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-525-6090
FAX: 843-625-6070

January 25, 2010

Honorable Doyet A. Early, III
Circuit Court Judge
Post Office Box 90
Bamberg, South Carolina 29003-0090

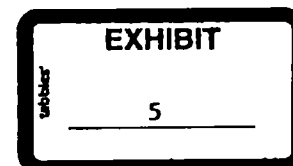
Re: Davis, et al. vs. Parkview Apartments Limited Partnership, et al.
C/A # 03-CP-07-726

Dear Judge Early:

Per our meeting in chambers following the recent hearing in Aiken, I am enclosing Plaintiffs Third Supplemental Response to Defendants' discovery requests dated August 28, 2008. The response is specific to the Parkview case only at this time since, as you correctly noted at the hearing, that is the first case which was scheduled for trial. It also addresses those discovery areas which Ellis emphasized during his argument at the hearing. I have looked at the other discovery requests addressed in the Defendants' written submission, and believe that, as to those, we are in compliance with both your prior order and the South Carolina Rules of Civil Procedure. If you agree, we will provide similar updated responses in the other cases.

The enclosed amended response relating to the valuation experts is as detailed and complete as I know how to make it in a written discovery response. Of course, as is always the case, the witnesses may elaborate in greater detail at their depositions, should the Defendants decide to depose them. The response as amended is much closer to the requirements for disclosure of expert testimony in federal court than the state court requirements contained in the South Carolina Rules of Civil Procedure. I am hopeful that you will find these to be sufficient.

The amended response concerning the Plaintiffs' involvement in other HUD-type projects is made in light of Ellis's comments on our prior response at the hearing. I think we misread the interrogatory earlier and I agree that our prior response was inaccurate and insufficient. I believe the enclosed amended response should satisfy the objections of Defendants' counsel, keeping in mind that, with the exception of the Plaintiff Laurance Davis, we are dealing with heirs of the original participants. These people had no direct involvement in the property or partnership and must rely upon their memories or any documents which may have been retained by the deceased partners. Since the Defendants were apparently the general partners in all of the limited partnerships, they are already in possession of the specific information relating to time frames of operation, etc.



Honorable Doyet A. Early, III
January 25, 2010
Page Two

Finally, the amended response concerning the FOIA requests adds specifics concerning the identity of the contact person for the documents already produced. We inadvertently left this information off the prior answer to the interrogatory, believing that it was contained within the documents produced.

We are also in receipt of Ted Vick's latest proposed Order relating to sanctions in all five pending cases. As you instructed, I will respond to his proposed Order by Thursday in order to comply with the 10-day time for response you allotted to us.

By copy of this letter, I am providing opposing counsel and co-counsel with a copy of this response, as well as the amended discovery responses.

Thank you for your attention to this matter.

With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.



Joel D. Bailey

JDB/sb
Enclosures

cc: Ellis M. Johnston, Esquire (w/enclosures)
Calvin T. Vick, Esquire (w/enclosures)
Thomas A. Pendarvis, Esquire (w/enclosures)

BAILEY LAW FIRM, P.A.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS

C/A # 03-CP-07-726

Laurance H. Davis, Jr.; Mary)
Jane R. Pike; Eva Marie Reynolds;))
and Rhoda G. Rentz, individually)
and in their capacities as the)
Limited Partners of Parkview)
Apartments, a South Carolina)
Limited Partnership;)

Plaintiffs,)

vs.)

Parkview Apartments, a South)
Carolina Limited Partnership;)
Apartment Investment and)
Management Company a/k/a)
AIMCO; Insignia Financial Group,))
Inc.; AmReal Corporation a/k/a)
and f/k/a USS Corporation a/k/a)
and f/k/a U.S. Shelter Corporation;))
ISTC Corporation; N. Barton)
Tuck, Jr.; and John Doe, a generic)
designation for a party or parties)
whose true identity is unknown;)

Defendants.)

**PLAINTIFFS' THIRD SUPPLEMENTAL RESPONSES TO
DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS
DATED AUGUST 28, 2008**

**TO: ELLIS M. JOHNSTON, JR., Esquire and CALVIN T. VICK, Esquire, Attorneys for
the Defendants:**

Documents received in response to this FOIA request to HUD were previously produced by Plaintiffs' counsel to Defendants' counsel in their prior supplemental discovery response dated August 24, 2009 (Bate Stamp # US HUD 000001-000576).

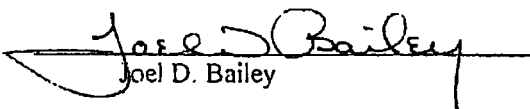
The foregoing supplemental information is provided in addition to, and not in lieu of, information previously provided to Defendants and/or their counsel with respect to other FOIA requests.

Respectfully submitted,

THE BAILEY LAW FIRM, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort SC 29901-1437
843.525.6090 Tel.
843.525.6070 Fax.
baileylawfirm@charter.net

Thomas A. Pendarvis, J.D. (SC Bar # 064918)
PENDARVIS LAW OFFICES, P.C.
500 Carteret St Ste A
Beaufort SC 29902-5066
843.524.9500 Tel.
843.524.9501 Fax.
Thomas@PendarvisLaw.com

Attorneys for the Plaintiffs

By: 
Joel D. Bailey

Beaufort, South Carolina

January 25, 2010

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)
)
Laurance H. Davis, Jr., *et al*, Plaintiffs,)
 -vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)
)

IN THE COURT OF COMMON PLEAS
C/A # 03-CP-07-726

Beaufort County

CERTIFICATE OF MAILING

I, Joel D. Bailey, of THE BAILEY LAW FIRM, P.A., co-counsel for the Plaintiffs herein, do hereby certify that on the 25th day of January, 2010, I mailed a copy of the Plaintiffs' Third Supplemental Discovery Responses, *via* first class mail, postage pre-paid, the same being addressed to:

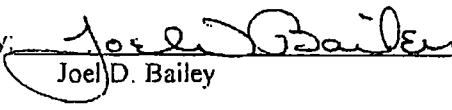
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Calvin T. Vick, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Honorable Doyet A. Early, III
Circuit Court Judge
Post Office Box 90
Bamberg, South Carolina 29003-0090

Thomas A. Pendarvis
PENDARVIS LAW OFFICES, P.C.
500 Carteret St Ste A
Beaufort SC 29902-5066

THE BAILEY LAW FIRM, P.A.
P.O. Box 1437
Beaufort, South Carolina 29901-1437
843-525-6090

By: 
Joel D. Bailey

Beaufort, South Carolina
January 25, 2010



PENDARVIS LAW OFFICES, P.C.
 500 CARTERET STREET, SUITE A
 BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS@PENDARVISLAW.COM

THOMAS A. PENDARVIS, J.D.
 ADMITTED IN SC AND GA

TEL. 843.524.9500
 FAX. 843.524.9501

January 5, 2009

VIA E-MAIL

The Honorable Gary E. Clary, J.D.
 Special Master
 111 Hammock Court
 Central SC 29630
gclaryj@bellsouth.net

Re: Lawrence H. Davis, Jr., et al. v. Parkview Apartments, et al.
 Lawrence H. Davis, Jr., et al. v. Palmetto Apartments, et al.
 Rhoda G. Rentz, et al. v. Orleans Gardens, et al.
 Lawrence H. Davis, Jr., et al. v. Roosevelt Gardens, et al.

Dear Judge Clary:

Enclosed please find PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG (DATED DECEMBER 31, 2008), which is one of the subjects of the *in camera* inspection commencing on Tuesday, January 6, 2009, in regard to the above-referenced matters. The documents identified in PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG (DATED DECEMBER 31, 2008) will be delivered to you at the meeting.

Also enclosed please find Plaintiffs' MEMORANDUM TO SPECIAL MASTER IN SUPPORT OF PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF ATTORNEY INFORMATION. For your reference and review, we will have available for you tomorrow the original PLAINTIFFS' MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION TO COMPEL, which was submitted to Judge Early in December 2007.

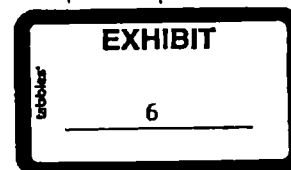
Thank you for your assistance in this matter, and we look forward to seeing you tomorrow.

Haynes with Sinkler Boyd, PA.

Date Filed 1/8/09

C/M # 11471.000

Docketed CTV, HGP, SL

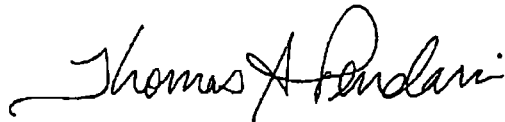


Page 2
January 5, 2009

With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is written in a cursive style with a large, stylized initial "T".

Thomas A. Pendarvis, J.D.

TAP/pdh
Enclosures

cc: Joel D. Bailey, J.D. (via e-mail w/enclosures)
Ellis M. Johnston, II, J.D. (via e-mail w/enclosures and U.S. Mail)
Calvin T. Vick, Jr., J.D. (via e-mail w/enclosures and U.S. Mail)
Marvin D. Infinger, J.D. (via e-mail w/enclosures and US mail)
Jesse C. Belcher, J.D. (via e-mail w/enclosures and US mail)
Anne Ross Rosen, J.D. (via e-mail w/enclosures and U.S. Mail)

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG

(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
1	Parkview 1951-1952	09/30/2003	Bailey	Adams	Fax letter concerning affidavit for use in hearing on motion for change of venue	Work Product
2	Parkview 1991	10/31/2003	Davis	Bailey	Fax letter concerning litigation expenses	Attorney-Client
3	Parkview 2015-2016	02/22/2004	Bailey	Rentz	Fax letter and memorandum concerning search for plats, site plans	Attorney-Client
4	Parkview 2073	04/25/2004	Adams	Bailey	Fax letter concerning payment for services rendered	Work Product
5	Parkview 2083	undated	Bailey		Internal memorandum listing names and addresses of clients	Work Product
6	Parkview 2088	05/26/2004	Rentz	Bailey	Fax letter concerning Bailey letter to Tom Wills regarding mediation	Attorney-Client
7	Parkview 2101	06/08/2004	Bailey		Internal memorandum concerning among other things the agreement between counsel for all parties to delay all litigation activities pending completion of appraisals on the properties and then mediation.	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
8	Parkview 2114-2115	06/28/2004	Bailey	Davis, Renz, Miller, Pike, Reynolds	Letter concerning status of pending <i>Parkview</i> lawsuit, and among other things, agreement at meeting with representatives and counsel for AIMCO to delay all litigation activities regarding Parkview and all related properties pending completion of appraisals on the properties and then mediation.	Attorney-Client
9	Parkview 2143	08/02/2004	Bailey	Clients	Letter concerning AIMCO's unilateral cancellation of mediation	Attorney-Client
10	Parkview 2165-2168	08/24/2004	Pike	Bailey	Fax letter listing real estate sales data and comments on appraisal	Attorney-Client
11	Parkview 2177-2182	09/16/2004	Davis	Bailey	Memorandum concerning suggestions for appraisals prepared by Atlantic Appraisals	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
12	Bailey 3059	02/16/2000	Bailey	Davis	Letter concerning meeting with clients, expenses and attorney's fees associated with investigating / evaluating general partners' response to limited partners' inquiries re: general partners' efforts against purchasing entities to collect on the notes	Attorney-Client
13	Bailey 3060	02/17/2000	Davis	Bailey	Fax letter concerning K-1 issued by ISTC ? AIMCO on the subject partnerships	Attorney-Client
14	Bailey 3067-3069	02/21/2000	Davis	Bailey	Fax letter asking for comments on draft letter to other limited partners concerning financial arrangements for engaging counsel to make inquiries with General Partners about status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
15	Bailey 3070-3072	02/24/2000	Davis	Bailey	Memorandum enclosing copy of letter to other limited partners concerning financial arrangements for engaging counsel to make inquiries with General Partners about status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
16	Bailey 3073	02/25/2000	Reynolds	Davis/ Bailey	Fax copy of cover letter enclosing funds for escrow	Attorney-Client Work Product
17	Bailey 3077-3078	03/20/2000	Davis	Bailey	Memorandum regarding participation by other limited partners and request for clarification of nature of fee agreement to engage counsel to make inquiries with General Partners about status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
18	Bailey 3082	03/23/2000	Davis	Bailey	Letter enclosing funds for escrow, concerning participation by other limited partners to engage counsel to make inquiries with General Partners about status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties, and noting his possession of very few records	Attorney-Client
19	Bailey 3105	04/20/2000	Bailey	Davis	Letter reporting on investigation activities with General Partners about status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties and enclosing copy of fee agreement	Attorney-Client
20	Bailey 3148	06/05/2000	Bailey	Aughtman	Letter requesting title search services	Work Product
21	Bailey 3151	06/14/2000	Aughtman	Bailey	Fax letter declining to do title search based on prior commitments	
22	Bailey 3152	06/05/2000	Bailey	Aughtman	Letter requesting title search services (duplicate of Bailey 3151)	Work Product (copy of above)

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
23	Bailey 3153	06/16/2000	Bailey	Advantage Title	Letter requesting title search services	Work Product
24	Bailey 3154	06/16/2000	Bailey	Advantage Title	Letter requesting title search services (duplicate of Bailey 3153 w/ handwritten note)	Work Product
25	Bailey 3155 - 3156	06/20/2000	Bailey	Davis	Letter reporting on investigation activities with General Partners about status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
26	Bailey 3180	07/24/2000	Bailey	Advantage Title	Letter requesting additional title search services	Work Product
27	Bailey 3209-3212	08/24/2000	Bailey	Adams	Letter engaging expert services concerning legal issues concerning title to property is affected by transition from general partnership to limited partnership, and enclosing documents	Work Product
28	Bailey 3215	08/31/2000	Bailey	Advantage Title	Letter concerning additional title search services	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
29	Bailey 3216	09/01/2000	Bailey	Adams	Letter enclosing documents received from Buchanan	Work Product
30	Bailey 3217	09/07/2000	Davis	Bailey	Fax letter with contact information for Reynolds	Attorney-Client
31	Bailey 3316	10/06/2000	Bailey	Davis	Fax letter transmitting copy of letter received from Buchanan	Attorney-Client
32	Bailey 3317	10/09/2000	Davis	Bailey	Fax letter concerning upcoming partnership meeting about status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
33	Bailey 3320	10/10/2000	Davis	Bailey	Fax letter concerning other limited partnerships not involved in these consolidated cases	Attorney-Client
34	Bailey 3321	10/10/2000	Bailey	Adams	Letter delivering copies of correspondence to / from Buchanan	Work Product
35	Bailey 3325	10/10/2000	Davis	Bailey	Fax letter requesting call	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
36	Bailey 3326-3327	10/12/2000	Davis	Ruff	Letter requesting legal services to form new partnership to serve as a substitute general partner in the event existing General Partners were no longer involved	Attorney-Client Work Product
37	Bailey 3328	10/16/2000	Bailey	Clients	Letter advising of upcoming partnership meeting	Attorney-Client
38	Bailey 3333	10/20/2000	Bailey	Reynolds	Fax cover letter enclosing maps to location for partnership meeting	Attorney-Client
39	Bailey 3334-3335	undated	Bailey		Handwritten note with driving directions to location for partnership meeting	Work Product
40	Bailey 3512	11/02/2000	Bailey	Davis	Fax letter with mortgage balances on notes for the subject limited partnerships	Attorney-Client
41	Bailey 3526-3528	11/29/2000	Davis	Bailey	Memorandum concerning possibility of limited partners acquiring the subject apartments or new partnership interest to satisfy notes	Attorney-Client
42	Bailey 3695	01/17/2001	Bailey	Davis	Letter enclosing invoice from expert	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
43	Bailey 3715-3719	02/09/2001	Bailey	Davis	Letter reporting on investigation activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
44	Bailey 3721-3726	02/16/2001	Bailey	Davis	Fax letter addressing method of reporting to all clients on investigation activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties, and a report on those investigation activities	Attorney-Client
45	Bailey 3731-3732	02/17/2001	Davis	Bailey	Fax letter commenting on Feb. 9, 2001 letter, and requesting additional information	Attorney-Client
46	Bailey 3735	02/14/2001	Bailey	Davis	Letter reporting on conversation with expert	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
47	Bailey 3737	03/18/2001	Davis	Bailey	Handwritten note enclosing signed documents and reporting on capital raised to fund investigation activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
48	Bailey 3738	03/01/2001	Adams	Davis	Fax letter regarding payment of invoice	Work Product
49	Bailey 3754-3755	06/05/2001	Bailey	Limited Partners c/o Davis	Letter reporting on investigation activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
50	Bailey 3756-3757	06/05/2001	Robinson	Davis	Letter responding to request for tax advice based on possible settlement of any legal action against purchasing entities to collect on the notes and/or recover properties	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
51	Bailey 3758-3759	06/05/2001	Bailey	Limited Partners c/o Davis	Letter concerning reporting on investigation activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
52	Bailey 3768	06/27/2001	Bailey	Limited Partners	Letter enclosing addendum to fee agreement	Attorney-Client
53	Bailey 3799	04/15/2002	Davis	Bailey	Fax letter concerning position taken by Buchannan concerning collateral for the subject notes	Attorney-Client
54	Bailey 4019-4020	09/19/2002	Bailey	Davis, Rentz, Miller, Pike, Reynolds	Letter concerning alternative legal strategies in light of time remaining for General Partners to pursue claims	Attorney-Client
55	Bailey 4043-4044	12/04/2002	Rowell	Bailey	Letter following up on discussion about potential involvement as co-counsel	Work Product
56	Bailey 4046-4047	01/06/2003	Bailey	Rowell	Letter and e-mail following up on discussion about potential involvement as co-counsel	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG

(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
57	Bailey 4053	03/26/2003	Rowell	Bailey	Letter following up on discussion about potential involvement as co-counsel	Work Product
58	Bailey 4054	04/11/2003	Bailey	Rowell	Letter following up on discussion about potential involvement as co-counsel	Work Product
59	Bailey 4055	04/22/2003	Bailey	Davis, Hodge, Miller, Pike, Rentz	Letter enclosing copies of pleadings	Attorney-Client
60	Bailey 4107	05/20/2003	Pike	Bailey	Fax letter enclosing documents	Attorney-Client
61	Bailey 4125 -4128	08/27/2003	Bailey	C. Bailey	Letter following up on discussion about potential involvement as co-counsel	Work Product
62	Bailey 4144- 4145	09/30/2003	Bailey	Adams	Fax letter concerning change of venue motion	Work Product
63	Bailey 4185	10/31/2003	Davis	Rentz, Miles Hodge, Ivey, Bailey	Fax letter concerning financing litigation	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
64	Bailey 4193-4206	10/29/2003	Bailey		Internal memorandum organizing file, client contact information, and attorney impressions of chronological outline for Roosevelt I partnership	Work Product
65	Bailey 4211-4212	12/29/2003	Bailey		Internal Memorandum containing attorney impressions of chronological outline for Roosevelt I partnership	Work Product
66	Bailey 4218-4219	04/03/2000 and 05/12/2000	Weinberg	Davis	Letter enclosing payments and file materials for delivery to Bailey	Attorney-Client; Work Product; Common Interest Privilege
67	Bailey 4232-4234	12/29/2003	Bailey		Internal memorandum organizing file, client contact information, and attorney impressions of chronological outline for Roosevelt I partnership	Work Product
68	Bailey 4280-4281	12/29/2003	Bailey		Internal Memorandum containing attorney impressions of chronological outline for Roosevelt I partnership	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG

(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
69	Bailey 4374	12/20/2003	Bailey		Internal memorandum organizing file, client contact information, and attorney impressions of chronological outline for Roosevelt I partnership	Work Product
70	Bailey 4380-4381	12/29/2003	Bailey		Internal Memorandum containing attorney impressions of chronological outline for Lincoln partnership	Work Product; not responsive to requests
71	Bailey 4467-4468	02/15/1999	Davis	Griffin, Hodge, Coastal Contractors	Memorandum concerning Lincoln Apartments	Common Interest Privilege; not responsive to requests
72	Bailey 4471	04/02/2000	Griffin	Davis	Handwritten note concerning Lincoln Apartments	Common Interest Privilege; not responsive to requests

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
73	Bailey 4473	04/02/2000	Griffin	Davis	Handwritten note concerning Lincoln Apartments (copy of Bailey 4471)	Common Interest Privilege; not responsive to requests
74	Bailey 4540-4543	09/05/2000	Davis	Bailey	Letter concerning Lincoln Apartments	Attorney-Client; not responsive to requests
75	Bailey 4547	10/11/2000	Bailey	All Limited Partners	Letter advising of upcoming partnership meeting	Attorney-Client
76	Bailey 4548	10/25/2000	Warren Griffin	Davis	Handwritten note concerning Lincoln Apartments	Common Interest Privilege; not responsive to requests
77	Bailey 4560	03/13/2001	Rentz	Bailey	Fax letter concerning offer on Pinewood	Attorney-Client
78	Bailey 4565	03/08/2001	Miles Hodge	Bailey	Fax letter concerning Lincoln Apartments	Attorney-Client; not responsive to requests

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
79	Bailey 4572-4575	04/24/2001	Bailey	Hodge	Letter concerning Lincoln Apartments and Roosevelt and amounts due on the notes	Attorney-Client
80	Bailey 4576-4577	08/02/2001	Davis	Bailey	Fax letter concerning Lincoln Apartments	Attorney-Client; not responsive to requests
81	Bailey 4580-4582	08/02/2001	Bailey	Davis, Rentz, Hodge	Fax letter regarding Lincoln Apartments	Attorney-Client; not responsive to requests
82	Bailey 4591-4592	06/29/2004	Bailey	Rentz / Hodge	Letter regarding Lincoln Apartments	Attorney-Client; not responsive to requests
83	Bailey 4593	08/03/2004	Bailey	Rentz / Hodge	Letter regarding Lincoln Apartments	Attorney-Client; not responsive to requests
84	Bailey 4763	03/16/2000	Davis	Mercy	Memorandum discussing the investigation activities concerning status of negotiations with and/or pursuit of claims	Common Interest Privilege
85	Bailey 4783	06/14/2000	Bailey	Advantage Title	Fax letter regarding title search services	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG

(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
86	Bailey 4785-4787	06/14/2000	Advantage Tile	Bailey	Hand written report concerning title search	Work Product
87	Bailey 4804	07/24/2000	Bailey	Advantage Title	Fax letter regarding title search services	Work Product
88	Bailey 4808-4809	08/17/2000	Bailey	Advantage Title	Fax letter regarding title search services	Work Product
89	Bailey 4810	08/29/2000	Bailey	Mercy	Letter memorializing engagement to investigate issues concerning Orleans Gardens	Attorney-Client
90	Bailey 4811	09/05/2000	Davis	Mercy, Bailey	Letter concerning sharing expenses related to the investigation activities	Attorney-Client; Common Interest Privilege
91	Bailey 4027	10/10/2000	Bailey	Adams	Letter providing copy of correspondence from Buchanan	Work Product
92	Bailey 4831	10/16/2000	Bailey	All Limited Partners	Letter concerning upcoming partnership meeting and proxies	Attorney-Client
93	Bailey 4837	11/02/2000	Bailey	Davis	Fax letter with mortgage balances on notes for the subject limited partnerships (duplicate of Bailey 3512)	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG

(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
94	Bailey 4842	03/30/2001	Bailey	Mercy	Fax letter providing copy of status report on activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
95	Bailey 4843	04/06/2001	Bailey	Mercy	Fax letter concerning written fee agreement	Attorney-Client
96	Bailey 4846	06/18/2001	Davis	Mercy, Bailey	Fax letter concerning terms of engagement of counsel with handwritten comments addressed to counsel	Common Interest Privilege; Attorney-Client
97	Bailey 4847-4851	06/26/2001	Bailey	Davis, Mercy	Fax letter and unexecuted addendum to fee agreement	Attorney-Client
98	Bailey 4854	03/15/2002	Rentz	Bailey	Fax letter with copy of check and letter from AIMCO	Attorney-Client
99	Bailey 4859-4868	09/19/2002	Bailey	Haggard	Letters concerning Estate of Arthur Mercy	Attorney-Client; Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
100	Bailey 4874-4875	06/28/2004	Bailey	Haggard, Hodge, Miller, Pike, Rentz	Letter providing status report on activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
101	Bailey 4876	07/08/2004	Bailey	Haggard	E-mail concerning Estate of Arthur Mercy	Attorney-Client; Work Product
102	Bailey 4877	07/23/2004	Haggard	Bailey	Letter concerning Estate of Arthur Mercy	Attorney-Client; Work Product
103	Bailey 4878	08/02/2004	Bailey	Haggard, Hodge, Miller, Pike, Rentz	Letter concerning AIMCO's unilateral cancellation of mediation	Attorney-Client
104	Bailey 4885-4886	undated	Bailey		Internal memorandum concerning overview of Palmetto Apartments, including sales price, amount of note, maturity date, and various property values	Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
105	Bailey 4968	10/30/1998	Wildman	Davis	Letter enclosing copy of correspondence and requesting information concerning Palmetto Apartments	Attorney-Client; Work Product; Common Interest Privilege
106	Bailey 4980	02/09/1999	Davis	Wildman	Letter concerning efforts to approach general partners to pursue collection of notes or gain possession of properties	Attorney-Client; Work Product; Common Interest Privilege
107	Bailey 4993	undated	Davis	Bailey	Internal memorandum concerning tax assessments for Palmetto	Attorney-Client; Work Product
108	Bailey 4996	03/16/2000	Davis	James Ivey / Erin Ivey	Letter concerning investigation of claims against purchasing entities to collect on the notes and other alternatives	Common Interest Privilege
109	Bailey 4998	09/05/2000	Davis	Wildman, Bailey	Letter concerning efforts to approach general partners to pursue collection of notes or gain possession of properties	Attorney-Client; Common Interest Privilege
110	Bailey 4999	09/05/2000	Davis	Bailey	Letter concerning Palmetto Apartments	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
111	Bailey 5002-5004	09/12/2000	Bailey	Wildman	Facsimile with attachments concerning proxie for Palmetto	Attorney-Client; Work Product
112	Bailey 5008-5012	09/12/2000	Wildman	Bailey	Facsimile with attachments concerning proxie for Palmetto	Attorney-Client; Work Product
113	Bailey 5016	09/14/2000	Wildman	Bailey	Letter with enclosures concerning proxie for Palmetto	Attorney-Client; Work Product
114	Bailey 5024	10/10/2000	Bailey	Adams	Letter providing copies of correspondence to/from Buchanan	Work Product
115	Bailey 5025	10/16/2000	Bailey	Clients	Letter concerning upcoming partnership meeting and proxies	Attorney-Client
116	Bailey 5028	11/02/2000	Bailey	Davis	with mortgage balances on notes for the subject limited partnerships (duplicate of Bailey 3512)	Attorney-Client
117	Bailey 5056	11/14/2000	Davis	Bailey	Fax letter concerning financial statements for Palmetto	Attorney-Client
118	Bailey 5062	03/16/2001	Wildman	Bailey	Fax letter attaching copy of letter from general partner	Attorney-Client; Work Product
119	Bailey 5064	03/26/2001	Bailey	Wildman	Fax cover letter	Attorney-Client; Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated December 31, 2008)

#	Bates No.	Date	From	To	Description	Privilege
120	Bailey 5065-5069	02/09/2001	Bailey	Davis	Letter reporting on investigation activities concerning status of negotiations with and/or pursuit of claims against purchasing entities to collect on the notes and/or recover properties	Attorney-Client
121	Bailey 5071	11/28/2001	Wildman	Bailey	Letter asking for status report	Attorney-Client; Work Product
122	Bailey 5073	01/31/2002	Wildman	Bailey	Letter asking for status report	Attorney-Client; Work Product
123	Bailey 5074	11/28/2001	Wildman	Bailey	Letter asking for status report (Duplicate of Bailey 5071)	Attorney-Client; Work Product
124	Bailey 5080-5081	03/15/2002	Wildman	Bailey, Ivey	Fax letter enclosing copies of K-1's and disbursement checks	Attorney-Client; Work Product
125	Bailey 5088-5089	03/29/2002	Bailey	Davis	Fax letter concerning disbursement checks	Attorney-Client
126	Bailey 5092	04/08/2002	Wildman	Bailey	Fax letter concerning correspondence from Buchanan and disbursement checks	Attorney-Client; Work Product
127	Bailey 5094-5097	02/25/2003	Wildman	Bailey	Fax letter requesting status report	Attorney-Client; Work Product

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated January 2, 2009)

#	Bates No.	Date	From	To	Description	Privilege
128	Bailey 5098	04/21/2003	Wildman	Bailey, Ivey	Fax letter concerning status report and third-party contact with Mrs. Ivey	Attorney-Client; Work Product
129	Bailey 5102	04/29/2003	Wildman	Bailey, Davis, and Ivey	Letter enclosing executed fee agreement and addendum	Attorney-Client; Work Product
130	Bailey 5107-5108	06/29/2004	Bailey	Clients	Letter reporting on status of claims	Attorney-Client
131	Bailey 5109-5110	07/07/2004	Wildman	Bailey	Fax letter concerning mediation	Attorney-Client; Work Product
132	Bailey 5113	08/02/2004	Bailey	Davis, Ivey, McCarthy, Wildman	Letter concerning AIMCO's unilateral cancellation of mediation	Attorney-Client
133	Bailey 5114	09/07/2004	Davis	Bailey	Fax letter concerning meeting with attorney	Attorney-Client

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated January 2, 2009)

INDEX

	IDENTIFICATION
All Limited Partners	Document does not differentiate and identify the name of each Plaintiff
Adams	Gregory B. Adams, L.L.M., J.S.D., Expert
Aughtman	Cathy Aughtman, Title Abstractor
Bailey	Joel D. Bailey, J.D., counsel for Plaintiffs
C. Bailey	Chandler Bailey, J.D., consulting counsel
Davis	Laurence H. Davis, Jr., Plaintiff
Griffin	Warren S. Griffin, limited partner in Lincoln, and client of Joel D. Bailey, J.D.
Haggard	Robert Haggard, J.D., counsel for Plaintiff Mercy
Hodge	W. Miles Hodge, President of Hodge Land Co., Inc, a Limited Partner
Ivey, Erin	Erin Ivey, Plaintiff
Ivey, James	James Ivey, Plaintiff
McCarthy	Marvin McCarthy, Plaintiff
Mercy	Arthur D. Mercy, Plaintiff – Jane Mercy, Plaintiff

PLAINTIFFS' SUPPLEMENTAL PRIVILEGE LOG
(Dated January 2, 2009)

	IDENTIFICATION
Miller	Jane Miller, Attorney-In-Fact for Plaintiff Mary Jane Pike
Pike	Mary Jane Pike, Plaintiff and James Pike, Attorney-In-Fact for Plaintiff Mary Jane Pike
Rentz	Rhoda G. Rentz, Plaintiff – Timothy Rentz, Attorney-In-Fact for Plaintiff Rhoda G. Rentz
Reynolds	Eva Marie Reynolds, Plaintiff
Robinson	William C. Robinson, CPA
Rowell	A. Hoyt Rowell, III, J.D., consulting attorney
Ruff	Harley D. Ruff, J.D., attorney
Weinberg	Mortimer M. Weinberg, Jr., J.D., Plaintiff
Wildman	Donald B. Wildman, J.D., counsel for Ivey

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010180088

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership, Appellants,

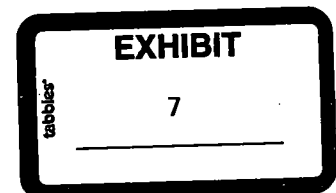
v.

Pinewood Park Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc., AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation, ISTC Corporation, N. Barton Tuck, Jr., and John Doe, a generic designation for a party or parties whose true identity is unknown, Respondents.

AFFIDAVIT OF HUGH G. CRADDOCK IN SUPPORT OF REPLY
MEMORANDUM IN SUPPORT OF RESPONDENTS' MOTION TO DISMISS

Personally appeared before me, Hugh G. Craddock, who, being duly sworn, deposes and states as follows:

1 My name is Hugh G. Craddock. I am over the age of 18 years and am competent to testify to the matters contained herein based upon personal knowledge. I submit this Affidavit



in support of the Reply Memorandum in Support of Respondents' Motion to Dismiss in the above-captioned appeal.

2 I am a resident and citizen of the County of Greenville and State of South Carolina.

3 I am a paralegal and have been practicing as such in the State of South Carolina since 1990. I am employed by the law firm of Haynsworth Sinkler Boyd, P.A. located in Greenville, South Carolina. Haynsworth Sinkler Boyd, P.A. represents the Respondents in the above-captioned case.

4 I make this affidavit based upon my own personal knowledge.

5 On September 20, 2010, I received a copy of Judge Early's September 16, 2010 letter to the Clerks of Court in Beaufort, Charleston and Orangeburg counties asking each clerk to file the Order denying Plaintiffs' Motion seeking reconsideration of the Court's Order dated April 6, 2010. A copy of the letters and the enclosed Order is attached hereto as **Exhibit A**.

6 On September 30, 2010, I received a copy of the Notice of Entry of Judgment/Order Pursuant to Rule 77 SCRPC from Charleston County. The Notice states "You may view and download this document at www3.Charlestoncounty.org" and is attached hereto as **Exhibit B**.

7 On September 30, 2010, I went to the publically available South Carolina Judicial Department website and obtained a copy of the signed Order by following the case records search links to Charleston County Courts as referenced above (a printed copy of the complete docket, which I viewed at the website, attached hereto as **Exhibit C**).

8 After downloading a copy of the signed Order from Charleston County, I again went to the publically available South Carolina Judicial Department website and confirmed that

the signed September 16, 2010 Order had been recorded, and was showing as such, in both Beaufort County and Orangeburg County, according to the online dockets. I can not recall the exact date that I confirmed this, but I am certain it was no later than seven (7) days after receipt of the September 30, 2010 notice of entry of the Order from Charleston County.

9 The Beaufort County website showed that the Order was signed on September 16, 2010 and entered on September 20, 2010 in the Parkview (a printed copy of the complete docket, which I reviewed at the website, is attached hereto as **Exhibit D**), Palmetto (a printed copy of the complete docket, which I viewed at the website, is attached hereto as **Exhibit E**) and Pinewood cases (a printed copy of the complete docket, which I viewed at the website, is attached hereto as **Exhibit F**).

10 The Orangeburg County website showed that the subject Order was entered on September 20, 2010 (a printed copy of the complete docket, which I viewed at the website, is attached hereto as **Exhibit G**).

11 I have also **reviewed the Beaufort, Charleston and Orangeburg County case dockets which are available online** to confirm the filing and docketing of the following Orders and related Motions regarding the five subject cases. The online dockets showed as follows:

- The December 17, 2008 Order Denying Plaintiffs' Motion to Compel No. 2 was entered by the Beaufort County clerk on December 23, 2008, the Charleston County clerk on December 31, 2008 and the Orangeburg County clerk on January 5, 2009. There is no record of notice of entry of the Order sent by any clerk in the online dockets. See **Exhibits C - G**;

- Plaintiffs served a single Motion to Alter or Amend (regarding the December 17, 2008 Order) for all five cases on December 30, 2008. A copy of the proof of service is attached hereto as **Exhibit H**;
- The December 30, 2008 Order Appointing the Honorable Gary E. Clary as Special Master for Resolution of Specified Discovery Disputes was entered by the Beaufort County clerk on January 6, 2009, the Orangeburg County clerk on January 8, 2009, and the Charleston County clerk on January 12, 2009. There is no record of notice of entry of the Order sent by any clerk in the online dockets. See **Exhibits C - G**;
- Plaintiffs served a single Motion to Alter or Amend (regarding the December 30, 2008 Order) for all five cases on January 13, 2009. A copy of the proof of service is attached hereto as **Exhibit I**;
- The March 3, 2009 Order Granting in Part and Denying in Part Plaintiffs' Motion to Compel, Dated July 29, 2005 was entered by the Beaufort County clerk on March 9, 2009 and the Orangeburg County clerk on March 17, 2009. There is no record of notice of entry of Order sent by any clerk in the online dockets. See **Exhibits D - G**;
- Plaintiffs served a single Motion to Alter or Amend (regarding the March 3, 2009 Order) for all five cases dated March 13, 2009. A copy of the proof of service is attached hereto as **Exhibit J**;
- The March 3, 2009 Order Granting Defendants' Motion to Compel, Dated November 6, 2008 was entered by the Beaufort County clerk on March 10, 2009 and the Charleston County Clerk on March 16, 2009. The Charleston County clerk sent notice of entry of Order to the parties on March 20, 2009. There is no record of

- notice of entry of Order sent by the Beaufort or Orangeburg County clerks. See **Exhibits C - F**;
- Plaintiffs served a single Motion to Alter or Amend (regarding the March 3, 2009 Order identified immediately above) for all five cases on March 13, 2009. A copy of the proof of service is attached hereto as **Exhibit K**;
 - The March 9, 2009 Order (Granting Motion to Continue the Trial) was entered by the Beaufort County clerk on March 16, 2009, the Charleston County clerk on March, 19, 2009 and the Orangeburg County clerk on March 20, 2009. The Charleston County Clerk sent notice of the entry of Order to the parties on March 24, 2009. There is no record of notice of entry of Order sent by the Beaufort or Orangeburg County clerks. See **Exhibits C - G**;
 - Plaintiffs served a single Motion to Alter or Amend (regarding the March 9, 2009 Order) for all five cases on March 23, 2009. A copy of the proof of service is attached hereto as **Exhibit L**;
 - The June 2, 2009 Order Adopting Findings and Conclusions of Special Master Clary was entered by the Beaufort County clerk on June 4, 2009. There is no record of notice of entry of Order sent by any clerk. See **Exhibit D**;
 - Plaintiffs served a single Motion to Alter or Amend (regarding the June 2, 2009 Order) for all five cases on June 11, 2009. A copy of the proof of service is attached hereto as **Exhibit M**;
 - The July 28, 2009 Order Amending Court's Order Dated June 2, 2009 was entered by the Beaufort County clerk on August 3, 2009 and the Orangeburg and Charleston County clerks on August 6, 2009. The Charleston County clerk sent notice of entry

of Order to the parties on August 12, 2009. There is no record of notice of entry of Order sent by Beaufort or Orangeburg County clerks. See **Exhibits C - G**;

- Plaintiffs served a single Notice of Appeal (regarding the July 28, 2009 Order) for all five cases on September 10, 2009. A copy of the proof of service is attached hereto as **Exhibit N**;
- The April 6, 2010 Order Granting Defendants' Two Motions for Sanctions, Finding Plaintiffs in Contempt of Court, and Dismissing the Above-Captioned Actions as Sanctions for Plaintiffs' Contempt was entered by the Orangeburg County clerk on April 8, 2010 and the Beaufort and Charleston County clerks on April 9, 2010; The Beaufort County clerk sent notice of entry of Order to the parties on April 12, 2010. A copy of the Beaufort County notices are attached hereto as **Exhibit O**; The Charleston County clerk sent notice of entry of Order to the parties on April 15, 2010. There is no record of notice of entry of Order by the Orangeburg County clerk. See **Exhibits C - G**;
- Plaintiffs served a single Motion for Reconsideration, Alteration or Amendment (Regarding the April 6, 2010 Order) for all five cases on April 22, 2010. A copy of the proof of service is attached hereto as **Exhibit P**;
- The October 7, 2010 Order (Denying Plaintiffs' Second Recusal Motion) was entered by the Charleston and Orangeburg County clerks on October 8, 2010 and the Beaufort County clerk on October 11, 2010. The Charleston County clerk sent notice of entry of Order to the parties on October 15, 2010. There is no record of notice of entry of Order sent by Beaufort or Orangeburg County clerks. See **Exhibits C - G**;

- Plaintiffs served a Motion to Alter or Amend (regarding the October 7, 2010 Order) in the Orleans matter on October 28, 2010. A copy of the proof of service is attached hereto as **Exhibit Q**. Plaintiffs' served an Amended Motion to Alter or Amend (regarding the October 7, 2010 Order) in the Orleans matter on November 8, 2010. A copy of the proof of service is attached as **Exhibit R**;
- October 22, 2010 Order Denying Plaintiffs' Motion for Protective Order was entered by the Beaufort and Orangeburg County clerks on October 25, 2010 and the Charleston County clerk on October 27, 2010. The Charleston County clerk sent notice of entry of Order to the parties on November 4, 2010. There is no record of notice of entry of Order sent by Beaufort or Orangeburg County clerks. See **Exhibits C - G**;
- Plaintiffs served five Motions to Alter or Amend (regarding the October 22, 2010 Order) captioned individually for all five cases on November 8, 2010. A copy of the proofs of service for each motion are attached hereto as **Exhibit S**;
- September 16, 2010 Order (Denying Motion for Reconsideration of the Court's Order dated April 6, 2010) was entered by Beaufort, Orangeburg and Charleston County clerks on September 20, 2010. The Charleston County clerk sent notice of entry of Order to the parties on September 28, 2010. There is no record of notice of entry of Order sent by Beaufort or Orangeburg County clerks. See **Exhibits C - G**; and
- Plaintiffs served the Notice of Appeal for Orleans on October 28, 2010 and the Amended Notice of Appeal for Orleans on November 8, 2010. A copy of the Proofs of service are attached as **Exhibit T**. Plaintiff's served the Notice of Appeal for

Pinewood, Parkview, Palmetto and Roosevelt on December 3, 2010. A copy of the proofs of service are attached as **Exhibit U**.

12 From a review of the County Dockets, the Plaintiffs have not received notice of entry of Order from each, Beaufort, Orangeburg and Charleston County, for any individual Order mentioned above. If notice was issued by a clerk, it was most often issued by Charleston County.

Further, Affiant sayeth not.



Hugh G. Craddock

Subscribed and sworn to me
This 8th day of February, 2011

Rita L. Stovine
Notary Public of South Carolina
My Commission expires on 11/23/19
#783350v3

100-100000



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

September 16, 2010

The Honorable Jeri Ann Roseneau
Post Office Box 1128
Beaufort, South Carolina 29901-1128

Re: Laurance H. Davis, Jr. et al v. Parkview Apartments, 03-CP-07-726
Laurance H. Davis, Jr. et al v. Palmetto Apartments, 05-CP-07-1989
Carolina Management Corp of Beaufort, et al v. Pinewood Park Apartments, 05-CP-07-1990

Dear Ms. Roseneau:

Please find enclosed for filing my orders in the above cases. Please file and serve all interested parties.

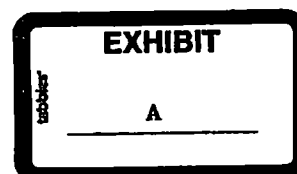
Sincerely,

A handwritten signature in black ink, appearing to read "DA Early III".

D. A. Early, III

DAE:khc
Enclosures

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire ✓
Thomas Pendarvis, Esquire



Haynsworth Sinkler Boyd, P.A.
Date Rec'd 9/20/10
C/M # 11471.0010
Docketed MLS
BY ISMJ, CTU, BEL



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@sccourts.org

September 16, 2010

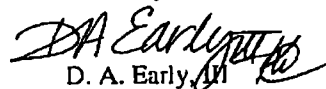
The Honorable Winnifa Brown-Clark
Post Office Box 9000
Orangeburg, South Carolina 29115

Re: Laurance H. Davis, Jr. et al v. Roosevelt Gardens, 05-CP-38-1131

Dear Ms. Clark:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc

Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire ✓
Thomas Pendarvis, Esquire

Mayrsworth Sinkler Boyd, RA.
Date Rec'd 9/20/10
C/M # 16471.0010
Docketed MLS
IDL EMJ, CTU, BEL



State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 90
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearlyj@accourts.org

September 16, 2010

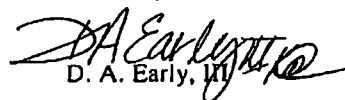
The Honorable Julie J. Armstrong
100 Broad Street Suite 106
Charleston, South Carolina 29401-2258

Re: Rhonda G. Rentz, et al v. Orleans Gardens, 05-CP-10-4229

Dear Ms. Armstrong:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,


D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire ✓
Ellis Johnston, Esquire ✓
Thomas Pendarvis, Esquire

Haynuorth Sinkler Boyd, RA.
Date Rec'd 9/20/10
C/M # 11471-0010
Docketed ALS
IDL EMJ, CTU, BEL

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Parkview Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Beaufort County
C.A. No. 2003-CP-07-726

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Roosevelt Gardens, a South Carolina
Limited Partnership, *et al.*, Defendants.

Orangeburg County
C.A. No. 2005-CP-38-1131

Rhonda G. Rentz, *et al.*, Plaintiffs,
v.
Orleans Gardens, a South Carolina
Limited Partnership, *et al.*, Defendants.

Charleston County
C.A. No. 2005-CP-10-4229

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Palmetto Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Beaufort County
C.A. No. 2005-CP-07-1989

Carolina Management Corporation of
Beaufort, *et al.*, Plaintiffs,
v.
Pinewood Park Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Beaufort County
C.A. No. 2005-CP-07-1990

ORDER

Plaintiffs have filed a motion seeking reconsideration of this court's order dated April 6, 2010, pursuant to Rule 59, SCRPC. The order was signed after Plaintiffs repeatedly failed to comply with orders dealing with discovery dated March 3, 2009 and July 28, 2009. Each of those orders have resulted from numerous hearings, motions, memoranda, arguments and rulings, including rulings denying Plaintiff's Rule 59/60 motions seeking reconsideration of these orders.



The court has carefully reconsidered all of Plaintiff's arguments in support of their motion, revisited all prior orders and the cases, memoranda and exhibits presented at each hearing; the court is still of the opinion that the previous orders were a correct application of the law to this factual matter.

Therefore Plaintiff's motion is DENIED.

IT IS SO ORDERED.



The Honorable Doyet A. Early, III

Sept 16, 2010
Rambling, South Carolina

JULIE J. ARMSTRONG
CLERK OF COURT, C.P. & G.S.
100 BROAD STREET, SUITE 106
CHARLESTON, SC 29401-2238
RETURN SERVICE REQUESTED



www3.charlestoncounty.org



15



VICK, CALVIN THEODORE JR
PO BOX 2048
GREENVILLE SC 29602-2048

NOTICE OF ENTRY OF JUDGMENT/ORDER PURSUANT TO RULE 77 SCRPC
ORDER - ORDER DENYING PLNTFFS' MOTION FOR RECONSIDERATION

THIS JUDGMENT WAS ENTERED ON THE 20TH DAY OF SEPTEMBER, 2010 AND A COPY MAILED
FIRST-CLASS THIS 28TH DAY OF SEPTEMBER, 2010 TO ALL COUNSEL OF RECORD AND/OR
ALL PERSONS ENTITLED TO RECEIVE NOTICE.
YOU MAY VIEW AND DOWNLOAD THIS DOCUMENT AT WWW3.CHARLESTONCOUNTY.ORG

VICK, CALVIN THEODORE JR
PO BOX 2048
GREENVILLE SC 29602-2048

2005-CP-10-004229
RENTZ, RHODA G ETAL ETC
VS.
ORLEANS GARDENS ETAL ETC

EXHIBIT

B

Haynsworth Sinkler Boyd, PA.

Date Rec'd 9/30/10

C/M # 11471.001A

Docketed _____

IDL CTV, ELIJ, AGC, SL, MLS

CHARLESTON COUNTY

COMMON PLEAS

CIVIL ACTION DOCKET AS OF 01/31/2011

PLAINTIFF(S): RENTZ, RHODA G ETAL ETC

-VS-

DEFENDANT(S): ORLEANS GARDENS ETAL ETC

CASE ID: 2005-CP-10-004229

FILING: 10/17/2005

ACTION: CONTRACT-BREACH OF CONTRACT

JUDGE: DOYET A. EARLY

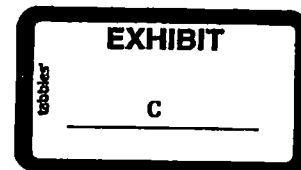
GROUP	TYPE	PARTY NAME	PHONE
001	AT	BAILEY, JOEL D P O BOX 1437 BEAUFORT SC 29901 FAX: (843) 000-0000	(843) 524-7600
001	PL	RENTZ, RHODA G ETAL ETC	
002	AT	JOHNSTON, ELLIS M II PO BOX 2048 GREENVILLE SC 29602	(803) 240-3200
002	DF	ORLEANS GARDENS ETAL ETC	
003	PL	PIKE, MARY JANE ETAL ETC	
004	PL	REYNOLDS, EVA MARIE ETAL ETC	
005	PL	MERCY, JOANNE O ETAL ETC	
006	PL	LIMITED PARTNERS OF ORLEANS GARDENS ETAL	
007	DF	APARTMENT INVESTMENT AND MANAGEMENT COMPANY ETAL	
008	AT	VICK, CALVIN THEODORE JR POST OFFICE BOX 2048 GREENVILLE SC 29602	(864) 240-3200
008	DF	AIMCO ETAL ETC	
009	DF	INSIGNIA FINANCIAL GROUP INC ETAL ETC	
010	DF	AMREAL CORPORATION ETAL ETC	
011	DF	USS CORPORATION ETAL ETC	
012	DF	U S SHELTER CORPORATION ETAL ETC	
013	DF	ISTC CORPORATION ETAL ETC	
014	DF	TUCK, N BARTON ETAL ETC	
015	DF	DOE, JOHN ETAL ETC	
016	AT	PENDARVIS, THOMAS A 500 CARTERET STREET SUITE A BEAUFORT SC 29902 FAX: (843) 524-9501	(843) 524-9500

DATE
JUN 06 2008
OCT 21 2010
DEC 10 2010

***** EVENTS IN CASE *****
MOTION HEARING/MOTION DOCKET
MOTION HEARING/MOTION DOCKET
MOTION HEARING/MOTION DOCKET

DATE

**** PROPERTY IN CASE ****



DATE	***** PROGRESS IN CASE *****	FEES
DEC 31 2010	FORM4 IN RE:ORDER 20101217 9990 MAILED FIRST CLASS	
DEC 17 2010	ORDER-PLNTFF'S MOT TO ALTER OR AMEND ORDER DENYING PLNTFF'S MOT FOR PROTECTIVE ORDER & THE ORDER DENYING PLNTFF'S MOT FOR RECUSAL HAVE BEEN DENIED	
DEC 02 2010	DEFNTS' MEMO IN OPPOSITION TO PLNTFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLNTFF'S MOTION FOR A PROTECTIVE ORDER & CERT/SERV	
NOV 12 2010	AS TO PNDARVIS, T (20) PLNTFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLNTFFS' MOTION FOR A PROTECTIVE ORDER & CERT/SERV	
NOV 10 2010	AMENDED NOTICE OF APPEAL-APPELLING CERTAIN ORDERS BY JUDGE EARLY & PROOF OF SERVICE	
NOV 10 2010	CERTIFICATE OF SERVICE	
NOV 10 2010	AS TO PNDARVIS, T PLNTFFS' AMENDED & SUPPLEMENTAL MOT TO ALTER OR AMEND ORDER DENYING PLNTFFS' MOT FOR RECUSAL	
NOV 10 2010	CASE NOTES: CASE ASSIGNED TO JUDGE EARLY	
NOV 05 2010	AS TO PNDARVIS, T (20) PLNTFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLNTFFS' MOTION FOR RECUSAL & CERT/SERV	
NOV 04 2010	FORM4 IN RE:ORDER 20101027 9990 MAILED FIRST CLASS	
NOV 01 2010	NOTICE OF APPEAL-APPELLING CERTAIN ORDERS BY JUDGE EARLY & PROOF OF SERVICE	
OCT 27 2010	ORDER DENYING PLNTFFS' MOTION FOR PROTECTIVE ORDER	
OCT 15 2010	FORM4 IN RE:ORDER 20101008 9990 MAILED FIRST CLASS	
OCT 08 2010	ORDER-PLNTFFS' 2ND RECUSAL MOT IS DENIED	
SEP 28 2010	FORM4 IN RE:ORDER 20100920 9990 MAILED FIRST CLASS	
SEP 20 2010	ORDER DENYING PLNTFFS' MOTION FOR RECONSIDERATION	
JUN 21 2010	DEFNTS' MEMO IN OPPOSITION TO PLNTFFS' MOTION FOR RECONSIDERATION, ALTERATION OR AMENDMENT OF THE CRT'S 4/6/2010 ORDER GRANTING SANCTIONS & CERT/SERV	
JUN 21 2010	AFFIDAVIT OF ELLIS M JOHNSTON II & CERT/SERV	
JUN 21 2010	AFFIDAVIT OF CALVIN T VICK JR	
JUN 08 2010	LETTER FR/ ATTY C VICK IN RE: AFFIDAVIT OF CALVIN T VICK JR	
JUN 08 2010	LETTER FR/ ATTY C VICK IN RE: AFFIDAVIT OF ELLIS M JOHNSTON II	
JUN 08 2010	LETTER FR/ ATTY C VICK IN RE: DEFNTS' MEMO IN OPPOSITION TO PLNTFFS' MOTION FOR RECONSIDERATION, ALTERATION OR	

AMENDMENT OF THE COURT'S APRIL 6, 2010 ORDER GRANTING SANCTIONS
MAY 20 2010
FORM4 IN RE:ORPRO 20100513 9990 MAILED FIRST CLASS
MAY 13 2010
ORDER OF PROTECTION
MAY 07 2010
AFFIDAVIT IN OPPOSITION TO AFFIDAVIT OF DEFNTS'
COUNSEL SUBMITTED IN SUPPORT OF ORDER AWARDING ATTORNEY FEES &
COSTS
MAY 06 2010
LETTER FROM ATTY CALVIN VICK JR
APR 29 2010
AFFIDAVIT OF ELLIS M JOHNSTON II
APR 29 2010
AFFIDAVIT OF ERIC HILTY
APR 29 2010 AS TO JOHNSTON, E
MOTION TO STRIKE & MEMO IN OPPOSITION TO PLNTFFS'
MOTION FOR RECUSAL & FOR VACATION OF PRIOR ORDERS
APR 29 2010
AFFIDAVIT OF ELLIS M JOHNSTON II & CERT/SERV
APR 26 2010
AFFIDAVIT OF THOMAS A PENDARVIS & CERT/SERV
APR 26 2010 AS TO BAILEY, J (1 HR)
NOT/MOT FOR RECONSIDERATION, ALTERATION, OR
AMENDMENT
APR 26 2010
CERTIFICATE OF SERVICE
APR 23 2010
AFFIDAVIT OF ELLIS JOHNSTON II
APR 19 2010
AFFIDAVIT OF EVA MARIE REYNOLDS
APR 15 2010
FORM4 IN RE:ORDER 20100409 9990 MAILED FIRST CLASS
APR 12 2010
AFFIDAVIT OF JOEL D BAILEY
APR 12 2010
AFFIDAVIT OF LAURANCE H DAVIS JR
APR 12 2010
AFFIDAVIT OF RHODA G RENTZ
APR 12 2010
AFFIDAVIT OF MARY JANE PIKE
APR 09 2010
ORDER GRANTING DEFNTS TWO MOTIONS FOR SANCTIONS,
FINDING PLNTFFS IN CONTEMPT OF CRT, & DISMISSING THE ABOVE
CAPTIONED ACTIONS AS SANCTIONS FOR PLNTFFS' CNTEMPT
MAR 30 2010
AFFIDAVIT OF JOEL D BAILEY
MAR 30 2010 AS TO BAILEY, J (1 HR)
NOT/MOT FOR RECUSAL & FOR VACATION OF PRIOR ORDERS
MAR 19 2010
DEFNTS' SURREPLY TO PLNFFS' REPLY TO DEFNTS' MEMO
IN OPPOSITION TO PLNTFFS' MOTION FOR DISCLOSURE & DISCOVERY &
CERT/SERV
MAR 10 2010
DEFNTS' MEMO IN OPPOSITION TO PLNTFFS' MOTION
FOR DISCLOSURE & DISCOVERY & CERT/MAILING
MAR 10 2010
DEFNTS' MEMO OPPOSING PLNTFFS' MOTION FOR
PROTECTIVE ORDER & CERT/MAILING

MAR 08 2010
PLNTFFS' REPLY MEMO IN SUPPORT OF MOTION FOR
DISCLOSURE & DISCOVERY & CERT/SERV

MAR 08 2010
LETTER FROM ATTY ELLIS JOHNSTON II IN RE; DEFNTS'
SURREPLY TO PLNTFFS' REPLY TO DEFNTS' MEMO

MAR 02 2010
LETTER FROM ATTY ELLIS JOHNSTON II IN RE: MEMO (2)

MAR 01 2010
DEFNTS' SUPPLEMENTAL MEMO IN SUPPORT OF THEIR
MOTION FOR SANCTIONS, & IN OPPOSITION TO PLNTFFS' RULE 60(B)
MOTIONS, RE: PRIVILEGE DISCOVERY ORDER & CERT/SERV

FEB 22 2010
DEFNTS' 2ND SUPPLEMENTAL MEMO IN SUPPORT OF MOTION
FOR SANCTIONS RE: GENERAL DISCOVERY ORDER & CERT/SERV

FEB 22 2010 AS TO BAILEY, J (1 HR)
PLNTFFS' MOTION FOR PROTECTIVE ORDER

FEB 22 2010 AS TO BAILEY, J (1 HR)
PLNTFFS' MOTION FOR DISCLOSURE & DISCOVERY

FEB 17 2010
LETTER FROM ATTY CALVIN VICK JR IN REFERENCE
TO DEFNTS SUPPLEMENTAL MEMO

FEB 16 2010
LETTER FROM ATTY E JOHNSTON IN RE: DEFNTS' 2ND
SUPPLEMENTAL MEMO IN SUPPORT OF MOTION FOR SANCTIONS

FEB 01 2010 AS TO PNDARVIS, T (30)
PLNTFFS' MOTION FOR RELIEF FROM JULY 28, 2009
ORDER AMENDED COURT'S ORDER DATED JUNE 2, 2009 & CERT/SERV

JAN 21 2010
FORM4 IN RE:ORDER 20100114 9990 MAILED FIRST CLASS

JAN 14 2010
CONSENT ORDER GRANTING DEFNTS' MOTION FOR
CONTINUANCE

JAN 04 2010 AS TO VICK, C
DEFNTS' MOTION FOR CONTINUANCE & CERT/SERV

DEC 22 2009
REMITTITUR APPEAL IS REMITTED

DEC 21 2009
MISCELLANEOUS DOCUMENTS

DEC 03 2009
LETTER FROM CRT OF APPEALS-RESPONDENTS' MOTION
TO DISMISS APPEAL IS GRANTED

SEP 23 2009
FORM4 IN RE:ORDER 20090911 9990 MAILED FIRST CLASS

SEP 16 2009
NOTICE OF APPEAL-APPELLING THE ORDER AMENDING
COURT'S ORDER DATED JUNE 2, 2009 & PROOF OF SERVICE

SEP 11 2009
ORDER GRANTING DEFNTS MOTION TO SEAL (SEALED
DOCUMENTS IN LOCKED CABINET) & CERT/SERV

SEP 08 2009
SUPPLEMENTAL MEMO IN SUPPORT OF DEFNTS' MOTIONS
FOR SANCTIONS & CERT/SERV

SEP 03 2009
LETTER FR/ ATTY VICK IN RE: ORDER GRANTING DEFNTS'
MOTION TO SEAL

AUG 31 2009
MEMO IN SUPPORT OF DEFNTS' TWO MOTIONS FOR
SANCTIONS & CERT/SERV

AUG 28 2009
LETTER FR/ ATTY VICK IN RE: SUPPLEMENTAL MEMO IN
SUPPORT OF DEFNTS' MOTIONS FOR SANCTIONS

AUG 24 2009
LETTER FR/ ATTY VICK IN RE: MEMO IN SUPPORT OF TWO
MOTIONS FOR SANCTIONS

AUG 20 2009 AS TO JOHNSTON, E (30)
DEFNTS' 2ND MOTION FOR SANCTIONS & CERT/SERV

AUG 12 2009
LETTER FROM ATTY VICK TO MS SMITH

AUG 12 2009
FORM4 IN RE:ORDER 20090806 9980 MAILED FIRST CLASS

AUG 06 2009
ORDER AMENDING COURT'S ORDER & CERT/SERV

AUG 06 2009 AS TO JOHNSTON, E
DEFNTS' MOTION FOR SANCTIONS & CERT/SERV

AUG 03 2009 AS TO VICK, C
MOTION TO SEAL & CERT/SERV

JUL 31 2009
LETTER FR/ ATTY VICK TO MS SMITH IN RE: COPIES OF
AMENDED ORDER

JUL 10 2009
MEMO IN SUPPORT OF DEFNTS MOTION TO ALTER OR AMEND
ORDER & CERT/SERV

JUL 06 2009
MEMO IN SUPPORT OF MOTION TO ALTER OR AMEND ORDER
ADOPTING FINDINGS AND CONCLUSIONS OF SPECIAL MASTER CLARY DATED
06/02/09 & CERT/SERV

JUN 24 2009 AS TO VICK, C (1 HR)
MOTION TO ALTER OR AMEND ORDER & CERT/SERV

JUN 17 2009
LETTER FR/ C VICK TO BEAUFORT CLERK IN RE: COPIES

JUN 15 2009 AS TO PNDARVIS, T (15)
MOTION TO ALTER OR AMEND ORDER ADOPTING FINDINGS
AND CONCLUSIONS OF SPECIAL MASTER CLARY & CERT/SERV

MAY 29 2009
FORM4 IN RE:ORDER 20090522 9990 MAILED FIRST CLASS

MAY 22 2009
ORDER OF PROTECTION

APR 28 2009
FORM4 IN RE:ORDER 20090420 9990 MAILED FIRST CLASS

APR 20 2009
ORDER REGARDING SCOPE OF AUTHORITY FOR SPECIAL
MATTER & CERT/SERV

APR 15 2009
LETTER FR/ HUGH CRADDOCK IN RE: ORDER REGARDING
SCOPE OF AUTHORITY FOR SPECIAL MASTER

APR 13 2009
DEFNTS' MEMO IN OPPOSITION TO PLNTFFS' MOTION TO
ALTER OR AMEND ORDER GRANTING DEFNTS' MOTION TO COMPEL, DATED
NOVEMBER 6, 2008 & CERT/SERV

APR 06 2009
LETTER FR/ HUGH CRADDOCK IN RE: MEMO IN OPPOSITION
TO MOTION TO ALTER OR AMEND

MAR 24 2009
FORM4 IN RE:ORDER 20090319 9990 MAILED FIRST CLASS

MAR 20 2009
FORM4 IN RE:ORDER 20090316 9990 MAILED FIRST CLASS

MAR 19 2009

ORDER-DAVIS V PARKVEIW APTS IS CONTINUED
MAR 16 2009 AS TO PNDARVIS, T (15)
PLNTFFS' MOTION TO ALTER OR AMEND ORDER GRANTING
DEFNTS' MOTION TO COMPEL & CERT/SERV
MAR 16 2009
ORDER GRANTING DEFNTS' MOTION TO COMPEL
MAR 13 2009
LETTER FR/ H CRADDOCK TO BEAUFORT CLERK OF COURT
MAR 09 2009
LETTER FR/ ATTY CRADDOCK TO BEAUFORT CLERK OF CRT
IN RE: ORDER GRANTING DEFNTS MOTION TO COMPEL
MAR 09 2009
LETTER FR/ ATTY CRADDOCK TO BEAUFORT CLERK OF CRT
IN RE: ORDER GRATING IN PART & DENYING IN PART PLTFFS MOTION TO
COMPEL
FEB 24 2009
FORM4 IN RE:ORDER 20090218 9990 MAILED FIRST CLASS
FEB 19 2009
DEFNTS' MEMO IN SUPPORT OF MOTION FOR PROTECTIVE
ORDER & CERT/SERV
FEB 19 2009
DEFNTS' MEMO IN OPPOSITION TO PLNTFFS' TWO MOTIONS
TO ALTER OR AMEND & CERT/SERV
FEB 18 2009
CONSENT ORDER REGARDING SCOPE OF AUTHORITY FOR
SPECIAL MASTER
JAN 12 2009
ORDER APPOINTING THE HONORABLE GARY E CLARY AS
SPECIAL MASTER FOR RESOLUTION OF SPECIFIED DISCOVERY DISPUTES &
CERT/SERV
JAN 02 2009
LETTER FR/ ATTY C VICK JR IN RE: ORDER APPOINTING
THE HONORABLE GARY E CLARY AS SPECIAL MASTER F/ RESOLUTION OF
DISCOVERY DISPUTES
DEC 31 2008
ORDER DENYING PLNTFFS' MOTION TO COMPEL #2 &
CERT/SERV
DEC 22 2008
LETTER FR/ ATTY C VICK JR IN RE: ORDER DENYING
PLNTFFS' MOTION TO COMPEL # 2
DEC 15 2008
DEFNTS' MEMO IN SUPPORT OF MOTION TO COMPEL
DISCOVERY RESPONSES FR/ ALL PLNTFFS IN ABOVE-CAPTIONED ACTIONS &
CERT/SERV
DEC 10 2008
LETTER FR/ ATTY C VICK JR IN RE: DEFNTS' MEMO IN
SUPPORT OF MOTION TO COMPEL DISCOVERY RESPONSES FR/ ALL PLNTFFS
DEC 02 2008
FORM4 IN RE:ORDER 20081124 9990 MAILED FIRST CLASS
NOV 24 2008
ORDER DENYING PLNTFF'S MOTION TO COMPEL #6
NOV 19 2008 AS TO JOHNSTON, E (30)
DEFNTS' MOTION TO COMPEL DISCOVERY RESPONSES FR/
ALL PLNTFFS & CERT/SERV
NOV 12 2008
LETTER FR/ ATTY VICK TO BEAUFORT CNTY
SEP 08 2008 AS TO JOHNSTON, E
DEFNTS MOTION F/ PROTECTIVE ORDER & CERT/SERV
JUL 09 2008

DEFNTS' BRIEF IN OPPOSITION TO PLNTFFS' MOTION TO
COMPEL #6 & CERT/SERV
JUL 09 2008
DEFNTS' BRIEF IN OPPOSITION TO PLNTFFS' MOTION TO
COMPEL #3, 4, & 5 & CERT/SERV
JUL 02 2008
MISCELLANEOUS DOCUMENTS
JUN 20 2008
FORM4 IN RE:ORDER 20080617 9990 MAILED FIRST CLASS
JUN 17 2008
ORDER DENYING DEFNTS' MOT FOR SUM JUDG
MAY 29 2008
LETTER FROM ATTY PENDARVIS IN RE:MOTIONS BEING
REMOVED
MAY 13 2008 AS TO VICK, C (30 MIN)
DEFNTS' MOT TO AMEND SCHEDULING ORDER & CERT/SERV
MAY 09 2008
FORM4 IN RE:ORDER 20080505 9990 MAILED FIRST CLASS
MAY 05 2008
ORDERS OF COMMISSION F/ OUT OF STATE SUBPOENA (9)
FEB 25 2008 AS TO PENDARVIS, T
MOTION FOR PROTECTIVE ORDER & TO QUASH SUBPOENA &
CRT/SRV
FEB 21 2008 AS TO JOHNSTON, E (30)
MOTION FOR PROTECTIVE ORDER & CRT/SRV
FEB 20 2008
LETTER FR/ ATTY C VICK IN RE: OF MOTION F/
PROTECTIVE ORDER FILED IN BEAUFORT CNTY
FEB 16 2008
FORM4 IN RE:ORDER 20080213 9990 MAILED FIRST CLASS
FEB 13 2008 AS TO JOHNSTON, E
DEFNTS' MOT FOR ISSUANCE OF A COMMISSION FOR THE
THE OUT OF STATE SUBPOENA TO THE MTB GROUP & CERT/SERV
FEB 13 2008
ORDER OF COMMISSION FOR OUT OF STATE SUBPOENA TO
THE MTB GROUP
JAN 02 2008 AS TO JOHNSTON, E
MOTION FOR ISSUANCE OF OUT OF STATE SUBPOENA &
CRT/SRV
DEC 28 2007
AFFIDAVIT OF TOY S GLENNON
DEC 20 2007
CERTIFICATE OF SERVICE
DEC 12 2007 AS TO COMPEL PRODUCTION &
DEFNTS' BRIEF IN OPPOSITION TO PLNTFFS' MOT TO
CERT/SERV
NOV 29 2007
FORM4 IN RE:ORDER 20071127 9990 MAILED FIRST CLASS
NOV 27 2007
ORDER-OF COMMISSION FOR OUT OF STATE OF SUBPOENA
TO THE MTB GROUP
NOV 14 2007 AS TO VICK, C
DEFNTS' MOT FOR ISSUANCE OF A COMMISSION FOR
THE OUT OF STATE SUBPOENA TO THE MTB GROUP
NOV 02 2007
LETTER FROM CT
FEB 27 2007
FORM4 IN RE:ORDER 20070222 9990 MAILED FIRST CLASS
FEB 22 2007

ORDER DENYING DEFNTS' MOTIONS TO DISMISS, OR IN
THE ALTERNATIVE FOR SUM JUDG & TO CHANGE VENUE & CERT/SERV
OCT 05 2006
AFFIDAVIT OF LAURANCE DAVIS JR & CRT/MAIL
OCT 03 2006
AFFIDAVIT OF GREGORY ADAMS
OCT 03 2006
AFFIDAVIT OF EVA MARIE REYNOLDS
SEP 22 2006
REPLY BRIEF
SEP 22 2006
AFFIDAVIT OF N BARTON TUCK JR & CRT/SRV
SEP 05 2006
COMBINED MEMO OF LAW IN OPPOSITION TO MOTIONS TO
DISMISS COUNT 1 THROUGH 7 & DEFNTS MOTIONS TO DISMISS FOR
IMPROPER VENUE OR IN THE ALTERNATIVE & CRT/SRV
AUG 08 2006
NOTICE OF FILING ORIGINAL DISCOVERY REQUESTS
& CRT/SRV
AUG 08 2006
BRIEF IN SUPPORT OF MOTIONS TO DISMISS OR IN THE
ALTERNATIVE FOR SUMMARY JUDGMENT
MAR 23 2006
FORM4 IN RE:ORDER 20060317 9990 MAILED FIRST CLASS
MAR 17 2006
ORDER FROM SUPREME CRT-JUDGE EARLY III IS
ASSIGNED TO HEAR & DECIDE ALL PRE TRIAL MOTIONS & OTHER MATTERS
PERTAINING TO THESE CASES ETC
MAR 03 2006
LETTER FR/ ATTY JOHNSTON IN RE: MOTIONS TO DISMISS
JAN 23 2006 AS TO JOHNSTON, E (1 HOUR)
MOTION TO DISMISS COUNTS 1 THROUGH 7
JAN 23 2006 AS TO JOHNSON, E
ANSWER OF CERTAIN DEFNTS
JAN 23 2006
AFFIDAVIT OF JOAN CHRIST & CRT/SRV
JAN 23 2006
AFFIDAVIT OF GARY HEDIGER
JAN 23 2006
AFFIDAVIT OF WILLIAM JARRAD
JAN 23 2006
AFFIDAVIT OF N BARTON TUCK JR
JAN 23 2006
AFFIDAVIT OF GEORGE BUCHANAN
JAN 23 2006
AFFIDAVIT OF DOUGLAS BROWN
JAN 23 2006
AFFIDAVIT OF ARTHUR HOWSON JR
JAN 23 2006 AS TO JOHNSON, E (1 HOUR)
MOTION TO DISMISS OR IN THE ALTERNATIVE TO TRANSFE
VENUE & MEMO IN SUPPORT
JAN 14 2006
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JAN 12 2006
ORDER-DEFNTS MAY FILE ANSWER OR OTHERWISE RESPOND
TO PLNTFFS CMLPNT
JAN 03 2006
CERTIFICATE OF SERVICE
JAN 03 2006 AS TO JOHNSTON, E

DEFNTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
IN WHICH TO FILE DEFNTS' ANSWER OR OTHERWISE RESPOND TO PLNTFFS'
CMLPNT WITH PLNTFFS' CONSENT

DEC 19 2005

AFFIDAVIT OF SERVICE (2)

NOV 08 2005

CERTIFICATE OF SERVICE(6)

OCT 17 2005

SUMMONS & COMPLAINT

OCT 17 2005

RECEIPT #05-13136

OCT 17 2005

PAID \$150.00

DOCKET TOTAL: .00



Beaufort County Fourteenth Circuit Public Index

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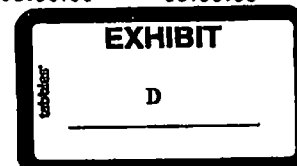
Laurance Davis Jr , plaintiff, et al VS AIMCO , defendant, et al

Case Number: 2003CP0700726	Court Agency: Beaufort County Common Pleas	Filed Date: 04/22/2003
Case Type: Common Pleas	Case Sub Type: Special-Comp/Oth 699	File Type: Jury
Status: Appeal	Assigned Judge: Early, Doyet A. III	
Disposition: Ended by Non Jury	Disposition Date: 04/09/2010	Disposition Judge: Early, Doyet A. III
Original Source Doc:	Original Case #:	
Judgment Number:		

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Actions

Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance Jr	Filing Fee -100	Filing	04/22/2003 - 00:00:00	04/22/2003 - 00:00:00
Davis, Laurance Jr	SUMMONS COMPLAINT	Filing	04/22/2003 - 00:00:00	04/22/2003 - 00:00:00
AIMCO	LETTER FOR EXTENSION OF TIME	Filing	05/12/2003 - 00:00:00	05/12/2003 - 00:00:00
Davis, Laurance Jr	AFF OFSER ON ISTC CORP ON	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00
Davis, Laurance Jr	AFF OF SER ON BARTON TUCK	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00
Davis, Laurance Jr	AFF OF SER ON PARVIEW APTS	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00
Davis, Laurance Jr	AFF OF SER ON AIMCO ON 4/28/03	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00
Davis, Laurance Jr	AFF OF SER ON AIMCO ON 4/28/03	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00
Davis, Laurance Jr	CERT OF SER ON PRENTICE HALL	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00



Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance Jr	CERT OF SER ON AMREAL CORP C/O	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00
Davis, Laurance Jr	CERT OF SER ON SECRETARY OF	Filing	06/23/2003 - 00:00:00	06/23/2003 - 00:00:00
AIMCO	CONSENT OR DER TO EXTEND TIME	Filing	06/27/2003 - 00:00:00	06/27/2003 - 00:00:00
AIMCO	CONSENT ORDER TO EXTEND TIME	Filing	07/08/2003 - 00:00:00	07/08/2003 - 00:00:00
Davis, Laurance Jr	IN WHICH TO ANSWER, MOVE, OR	Filing	07/08/2003 - 00:00:00	07/08/2003 - 00:00:00
Davis, Laurance Jr	USS CORP, INSIGNA FINA TO	Filing	07/14/2003 - 00:00:00	07/14/2003 - 00:00:00
Davis, Laurance Jr	VENUE OR IN THE ALTER TRANSFER	Filing	07/14/2003 - 00:00:00	07/14/2003 - 00:00:00
Davis, Laurance Jr	TO STRIKE & IN ALTER TO MAKE	Filing	07/14/2003 - 00:00:00	07/14/2003 - 00:00:00
AIMCO	MOT & MEMO OF U.S. SHELTER COR	Filing	07/14/2003 - 00:00:00	07/14/2003 - 00:00:00
AIMCO	MOT TO DISMIS FOR IMPROPER	Filing	07/14/2003 - 00:00:00	07/14/2003 - 00:00:00
AIMCO	MOT & MEMO IN SUPPORT OF MOT	Filing	07/14/2003 - 00:00:00	07/14/2003 - 00:00:00
AIMCO	AFFIDAVT OF GEORGE BUCHANAN &	Filing	07/14/2003 - 00:00:00	07/14/2003 - 00:00:00
Davis, Laurance Jr	DISMISS(JOHNSTON)	Filing	07/14/2003 - 00:00:00	04/09/2010 - 00:00:00
Davis, Laurance Jr	DISMISS(JOHNSTON)	Filing	07/14/2003 - 00:00:00	04/09/2010 - 00:00:00
Davis, Laurance Jr	STRIKE(JOHNSTON)	Filing	07/14/2003 - 00:00:00	04/09/2010 - 00:00:00
Davis, Laurance Jr	AFFIDAVIT OF JOEL BAILEY	Filing	10/24/2003 - 00:00:00	10/24/2003 - 00:00:00
Davis, Laurance Jr	AFF OF SER OF S-C ON INSIGNIA	Filing	10/30/2003 - 00:00:00	10/30/2003 - 00:00:00
Davis, Laurance Jr	ORDER(JUDGE BUCKNER)	Filing	12/16/2003 - 00:00:00	12/16/2003 - 00:00:00
Parkview Apartments, A So	Filing of exhibits		12/16/2003 - 10:10:42	04/09/2010 - 10:10:42
AIMCO	ORDER ON MOT TO STRIKE OR IN	Filing	12/24/2003 - 00:00:00	12/24/2003 - 00:00:00
Davis, Laurance Jr	ALTER TO MAKE MORE DEFINATE &	Filing	12/24/2003 - 00:00:00	12/24/2003 - 00:00:00
Davis, Laurance Jr	MOTION TO ALTER OR AMEND ORDER	Filing	12/30/2003 - 00:00:00	12/30/2003 - 00:00:00
Davis, Laurance Jr	ALTER/AMEND(BUCKNER)	Filing	12/30/2003 - 00:00:00	04/09/2010 - 00:00:00
Davis, Laurance Jr	AMEND SUMMON-COMPLAINT	Filing	03/23/2004 - 00:00:00	03/23/2004 - 00:00:00
Davis, Laurance Jr	ORDER(BUCKNER)	Filing	04/01/2004 - 00:00:00	04/01/2004 - 00:00:00
Davis, Laurance Jr	& CER OF SER	Filing	04/13/2004 - 00:00:00	04/13/2004 - 00:00:00
AIMCO	MOT DISMISS COUNTS 1-8/ANSWER	Filing	04/13/2004 - 00:00:00	04/13/2004 - 00:00:00
Davis, Laurance Jr	DISMISS COUNTS 1-	Filing	04/13/2004 -	04/09/2010 -

Name	Description	Action Type	Begin Date	Completion Date
	8(JOHNSTON)		00:00:00	00:00:00
Davis, Laurance Jr	SCHED ORDER-TRIAL ON/AFTER	Filing	08/18/2004 - 00:00:00	08/18/2004 - 00:00:00
Davis, Laurance Jr	MEMO IN SUPPRT OF DEF'S MOTION	Filing	10/05/2004 - 00:00:00	10/05/2004 - 00:00:00
Davis, Laurance Jr	THEIR MOTION TO DISMISS COUNTS	Filing	11/17/2004 - 00:00:00	11/17/2004 - 00:00:00
AIMCO	DEFS' REPLY BRIEF IN SUPP OF	Filing	11/17/2004 - 00:00:00	11/17/2004 - 00:00:00
AIMCO	CER SER(CLERK OF COURT & JOEL	Filing	11/17/2004 - 00:00:00	11/17/2004 - 00:00:00
AIMCO	ORDER DENYING MOTION TO DISMIS	Filing	02/11/2005 - 00:00:00	02/11/2005 - 00:00:00
Davis, Laurance Jr	EXCEPT AS TO PLAS' 3RD CAUSE	Filing	02/11/2005 - 00:00:00	02/11/2005 - 00:00:00
AIMCO	MOT TO COMPEL TO JOEL BAILEY	Filing	03/28/2005 - 00:00:00	03/28/2005 - 00:00:00
AIMCO	CER SER(JOEL D BAILEY)ON	Filing	03/28/2005 - 00:00:00	03/28/2005 - 00:00:00
Davis, Laurance Jr	TO COMPEL(E.M.JOHNSTON)	Filing	03/28/2005 - 00:00:00	04/09/2010 - 00:00:00
Davis, Laurance Jr	AMDED SCHDL ORD(GREGORY)	Filing	06/02/2005 - 00:00:00	06/02/2005 - 00:00:00
AIMCO	renewed motion compel	Filing	06/20/2005 - 00:00:00	06/20/2005 - 00:00:00
AIMCO	comsn(Gregory)Spr Ct Ga Issue Subp(Lend Lease	Filing	06/24/2005 - 00:00:00	06/24/2005 - 00:00:00
AIMCO	cnt:Corp & subsidiary)cer ser cndl rec usm 6/21/05	Filing	06/24/2005 - 00:00:00	06/24/2005 - 00:00:00
Davis, Laurance Jr	compel	Filing	06/27/2005 - 00:00:00	04/09/2010 - 00:00:00
Davis, Laurance Jr	compel	Filing	08/01/2005 - 00:00:00	08/09/2005 - 00:00:00
Davis, Laurance Jr	nom & motion compel	Filing	08/01/2005 - 00:00:00	08/01/2005 - 00:00:00
Davis, Laurance Jr	not of appearance(Thomas A.Pendarvis)	Filing	08/09/2005 - 00:00:00	08/09/2005 - 00:00:00
Davis, Laurance Jr	CP Jury Trial Docket	Event	07/01/2006 - 09:00:00	06/15/2006 - 17:00:00
Davis, Laurance Jr	CP Jury Trial Docket	Event	07/01/2006 - 10:00:00	04/09/2010 - 17:00:00
Davis, Laurance Jr	CP Jury Trial Docket	Event	12/31/2006 - 10:00:00	04/09/2010 - 17:00:00
Davis, Laurance Jr	Letter Regarding MTB Group Inc	Filing	11/01/2007 - 10:27:07	04/09/2010 - 10:27:07
Davis, Laurance Jr	Motion/Compel Production; Service	Motion	11/13/2007 - 09:22:43	03/06/2008 - 09:22:43
Parkview Apartments, A So	Def Brief in Opposition to Plf Motion to Compel Production &	Filing	11/26/2007 - 10:11:42	04/09/2010 - 10:11:42
Parkview Apartments, A So	Motion & order of commission for out of state subpoena/servi	Motion	12/28/2007 - 12:23:31	12/15/2009 - 12:23:31
Davis, Laurance Jr	CP Jury Trial Docket	Event	12/30/2007 - 10:00:00	09/11/2007 - 17:00:00
AIMCO	Motion/Protective Order & Cert of Service	Motion	02/21/2008 - 11:05:18	02/21/2008 - 11:05:18

Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance Jr	Motion/Protective Order & to Quash Subpoenas & Cert of	Motion	02/25/2008 - 16:11:57	02/25/2008 - 16:11:57
Davis, Laurance Jr	CP Motion Hearing	Event	03/06/2008 - 11:00:00	02/19/2008 - 12:00:00
Parkview Apartments, A So	order of commission for out of state subpoena	Motion	04/29/2008 - 09:36:39	05/05/2008 - 09:36:39
Parkview Apartments, A So	Motion/Amend Scheduling Order & Cert of Service	Motion	04/29/2008 - 14:33:43	04/29/2008 - 14:33:43
Parkview Apartments, A So	Order/commission out of state subpoena	Filing	04/29/2008 - 08:41:18	04/09/2010 - 08:41:18
Parkview Apartments, A So	Order/commission out of state subpoena	Filing	04/29/2008 - 08:42:15	04/09/2010 - 08:42:15
Parkview Apartments, A So	Order/commission out of state subpoena	Filing	04/29/2008 - 08:43:09	04/09/2010 - 08:43:09
Parkview Apartments, A So	Order/commission of out of state subpoena	Filing	04/29/2008 - 08:44:14	04/09/2010 - 08:44:14
Parkview Apartments, A So	Order/commission out of state subpoena	Filing	04/29/2008 - 08:45:07	04/09/2010 - 08:45:07
Parkview Apartments, A So	Order/commission out of state subpoena	Filing	04/29/2008 - 08:45:57	04/09/2010 - 08:45:57
Parkview Apartments, A So	Order/commission for out of state subpoena	Filing	04/29/2008 - 08:47:05	04/09/2010 - 08:47:05
Parkview Apartments, A So	Order commission for out of state subpoena	Filing	04/29/2008 - 09:59:19	04/09/2010 - 09:59:19
Parkview Apartments, A So	Order/commission for out of state subpoena	Filing	04/29/2008 - 15:30:41	04/09/2010 - 15:30:41
Davis, Laurance Jr	Motion/Compel #3 & Cert of Service	Motion	06/16/2008 - 10:10:32	06/16/2008 - 10:10:32
Davis, Laurance Jr	Motion/Compel #4 & Cert of Service	Motion	06/16/2008 - 10:13:20	06/16/2008 - 10:13:20
Davis, Laurance Jr	Motion/Compel #5 & Cert of Service	Motion	06/16/2008 - 10:15:50	06/16/2008 - 10:15:50
Davis, Laurance Jr	Motion/Compel #6 & Cert of Service	Motion	06/16/2008 - 10:18:00	06/16/2008 - 10:18:00
Parkview Apartments, A So	Order/Motion for Summary Judgment is denied	Order	06/17/2008 - 15:34:34	04/09/2010 - 15:34:34
Parkview Apartments, A So	Memo in Opposition to Plf's Mot/Compel #3,4,5; Cert/Serv	Filing	07/03/2008 - 08:57:21	04/09/2010 - 08:57:21
Parkview Apartments, A So	Memo in Opposition to Plf's Mot/Compel #6; Cert/Serv	Filing	07/03/2008 - 09:00:58	04/09/2010 - 09:00:58
Davis, Laurance Jr	Cert Serv/Affidavit of Oliver Wood on Attys of Record 8-5-08	Filing	08/08/2008 - 09:24:40	04/09/2010 - 09:24:40
Davis, Laurance Jr	Affidavit of Oliver G. Wood Jr	Filing	08/08/2008 - 10:31:41	04/09/2010 - 10:31:41
Davis, Laurance Jr	Form 4 Order (trial date certain 5-18-09)	Order	08/26/2008 - 09:39:13	08/26/2008 - 09:39:13
Parkview Apartments, A So	Motion/Protective Order & Cert of Service	Motion	08/26/2008 - 15:04:50	06/16/2008 - 15:04:50
Davis, Laurance Jr	Motion/Issuance of Commission for Out of State Subpoena	Motion	09/19/2008 - 11:16:56	01/06/2009 - 11:16:56
Davis, Laurance Jr	Motion/Issuance of Commission for Out of State Subpoena	Motion	09/29/2008 - 10:44:42	01/06/2009 - 10:44:42

Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance Jr	Order for Commission of Out-of-State Subpoena	Filing	10/10/2008 - 08:40:55	09/30/2008 - 08:40:55
Parkview Apartments, A So	Offer Of Judgment; Cert/Service	Filing	10/28/2008 - 13:32:00	04/09/2010 - 13:32:00
Parkview Apartments, A So	Motion/Compel Discovery Responses from all Plts; Cert of	Motion	11/10/2008 - 16:17:19	01/06/2009 - 16:17:19
Davis, Laurance Jr	Order Denying Plaintiffs' Motion to Compel # 6 of 6-12-08	Filing	11/20/2008 - 14:47:50	08/18/2008 - 14:47:50
Parkview Apartments, A So	Memo in Support of Motion to Compel Discovery Responses	Filing	12/11/2008 - 13:25:37	04/09/2010 - 13:25:37
Parkview Apartments, A So	Order Denying Motion to Compel #2 & Cert of Service	Filing	12/23/2008 - 15:56:01	12/17/2008 - 15:56:01
Davis, Laurance Jr	Motion/Alter and/or Amend & Cert of Service	Motion	01/02/2009 - 14:39:44	04/09/2010 - 14:39:44
Parkview Apartments, A So	CP Motion Hearing	Event	01/06/2009 - 14:30:00	11/25/2008 - 15:30:00
Davis, Laurance Jr	CP Motion Hearing	Event	01/06/2009 - 14:30:00	11/25/2008 - 15:30:00
Parkview Apartments, A So	Order/Appointing Honorable Gary E Clary Special Master for	Filing	01/06/2009 - 10:12:34	12/30/2008 - 10:12:34
Davis, Laurance Jr	Motion/Alter and/or Amend Order Appointing Special Master;	Motion	01/15/2009 - 15:51:14	04/09/2010 - 15:51:14
Parkview Apartments, A So	Consent Order Regarding Scope of Authority for Special	Filing	02/10/2009 - 10:16:18	01/31/2009 - 10:16:18
AIMCO	Memo/Opp Plaintiffs' 2 Motions to Alter & Amend/Cert Serv	Filing	02/13/2009 - 11:26:05	04/09/2010 - 11:26:05
AIMCO	Memo/Support of Motion for Protective Order/Cert Serv	Filing	02/13/2009 - 11:29:18	04/09/2010 - 11:29:18
Davis, Laurance Jr	Order Granting in Part & Denying in Part Plt Motion to	Filing	03/09/2009 - 14:16:11	03/03/2009 - 14:16:11
Parkview Apartments, A So	Order Granting Def Motion to Compel dated 11/06/08	Filing	03/10/2009 - 14:22:17	03/03/2009 - 14:22:17
Parkview Apartments, A So	Order to Continue Case Until 1st Available Trial Date on or	Filing	03/16/2009 - 16:12:55	03/09/2009 - 16:12:55
Davis, Laurance Jr	Motion/Alter and/or Amend Order Granting Def Motion to	Motion	03/17/2009 - 15:53:13	06/19/2009 - 15:53:13
Davis, Laurance Jr	Motion/Alter and/or Amend Order Dated 3/03/09	Motion	03/17/2009 - 16:04:47	03/26/2009 - 16:04:47
Davis, Laurance Jr	Motion/Alter and/or Amend Order Dated 3-9-09 & Cert Mailing	Motion	03/25/2009 - 09:37:30	04/03/2009 - 09:37:30
Davis, Laurance Jr	Order Deying Plt Motion Alter or Amend Order Dated 3/03/09	Filing	03/26/2009 - 16:16:14	03/23/2009 - 16:16:14
Davis, Laurance Jr	Order Denying Plt Motion to Alter or Amend Dated 3/09/09	Filing	04/03/2009 - 16:48:01	03/31/2009 - 16:48:01
AIMCO	Memo in Opposition to Motion (see notes)/Cert Serv	Filing	04/07/2009 - 13:26:38	04/09/2010 - 13:26:38
Davis, Laurance Jr	Order Regarding Scope of Authority for Special Master &	Filing	04/15/2009 - 16:04:06	04/09/2009 - 16:04:06
Vick, Calvin T Jr.	Order for Protection June 8-15,2009 & Cert of Service	Filing	05/20/2009 - 16:10:17	05/12/2009 - 16:10:17
Davis, Laurance Jr	Order Adopting Findings& Conclusions of Special Master	Filing	06/04/2009 - 16:50:15	06/02/2009 - 16:50:15

Name	Description	Action Type	Begin Date	Completion Date
	Clary			
Davis, Laurance Jr	Motion/Alter or Amend Order Adopting Finds & Conclusions of	Motion	06/15/2009 - 14:33:47	08/03/2009 - 14:33:47
Parkview Apartments, A So	Motion/Alter and/or Amend Order & Cert of Service	Motion	06/18/2009 - 14:44:08	06/19/2009 - 14:44:08
Davis, Laurance Jr	Order Denying Applicants Motion to Alter Or Amend Order	Filing	06/19/2009 - 14:07:05	06/16/2009 - 14:07:05
Davis, Laurance Jr	Memo/Memo in Support of Motion to alter or amend	Filing	07/06/2009 - 15:48:00	04/09/2010 - 10:39:55
Davis, Laurance Jr	Service/Certificate Of Service/MEM SUP	Filing	07/06/2009 - 15:48:00	04/09/2010 - 10:41:24
Parkview Apartments, A So	Memo/Memo in Support of Motion to Amend	Filing	07/07/2009 - 11:26:00	04/09/2010 - 09:10:43
Parkview Apartments, A So	Motion to Seal	Motion	07/30/2009 - 09:40:42	07/30/2009 - 09:40:42
Parkview Apartments, A So	Motion/Sanctions & Cert of Service	Motion	07/31/2009 - 11:25:37	12/15/2009 - 11:25:37
Davis, Laurance Jr	Order Amending Courts Order Dated 6/02/09	Filing	08/03/2009 - 10:57:13	07/28/2009 - 10:57:13
Parkview Apartments, A So	2nd Motion for Sanctions & Cert of Service	Motion	08/14/2009 - 10:12:27	12/15/2009 - 10:12:27
AIMCO	Memo/Memo in Support of 2 Motions to Sanction	Filing	08/25/2009 - 16:14:00	04/09/2010 - 16:34:29
Parkview Apartments, A So	Memo/Memo in Support of motion for sanctions	Filing	08/31/2009 - 16:40:00	04/09/2010 - 08:18:53
AIMCO	Order Granting DEF's Motion to Seal	Filing	09/04/2009 - 14:54:00	04/09/2010 - 13:54:10
Davis, Laurance Jr	Notice of Appeal of Order of Judge Early Dated 7/28/09	Filing	09/14/2009 - 15:05:13	04/09/2010 - 15:05:13
Davis, Laurance Jr	Proof Ser(Counsel &COC for Bft,Chalreston,&Orangburg Cnty)of	Filing	09/14/2009 - 15:06:22	04/09/2010 - 15:06:22
Parkview Apartments, A So	CP Motion Hearing	Event	12/15/2009 - 11:00:00	11/17/2009 - 12:00:00
Parkview Apartments, A So	Motion/Continuance & Cert of Service	Motion	12/22/2009 - 10:49:54	01/14/2010 - 10:49:54
Davis, Laurance Jr	Remittitur From Court Of Appeals	Filing	12/23/2009 - 15:05:08	04/09/2010 - 15:05:08
Parkview Apartments, A So	Order/Order Granting Motion for Continuance past 1-19-2010	Filing	01/14/2010 - 16:15:00	01/04/2010 - 10:09:24
Davis, Laurance Jr	Motion/Relief from July 28,2009 Order Amending Courts Order	Motion	02/02/2010 - 10:58:47	04/09/2010 - 10:58:47
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52

Name	Description	Action Type	Begin Date	Completion Date
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Parkview Apartments, A So	Memorandum In Support of Motion for Sanctions re: General	Filing	02/16/2010 - 13:15:02	04/09/2010 - 13:15:02
Parkview Apartments, A So	Supp Memo in Support of Motion for Sanctions and In	Filing	02/19/2010 - 11:01:58	04/09/2010 - 11:01:58
Davis, Laurance Jr	Motion for Disclosure & Discovery	Motion	02/22/2010 - 12:44:25	
Davis, Laurance Jr	Motion/Protective Order	Motion	02/22/2010 - 15:02:06	
Parkview Apartments, A So	Defendants' Memorandum in Opposition to Plaintiffs' Motion	Filing	03/03/2010 - 08:55:21	
Parkview Apartments, A So	Defendants' Memorandum opposing Plaintiffs'	Filing	03/03/2010 - 09:42:38	
Davis, Laurance Jr	Plaintiff's Reply Memorandum in Support of Motion	Filing	03/05/2010 - 17:06:26	
Parkview Apartments, A So	Defendants' Surreply to Plaintiff's Reply to Defendants'	Filing	03/08/2010 - 10:04:53	
Davis, Laurance Jr	Motion for Recusal & for Vacation of Prior Orders	Motion	03/30/2010 - 14:20:29	
Davis, Laurance Jr	Affidavit of Laurance H. Davis, Jr.	Filing	04/07/2010 - 10:37:31	
Davis, Laurance Jr	Affidavit of Joel D. Bailey	Filing	04/07/2010 - 11:04:45	
Parkview Apartments, A So	Order Granting Defs' Motions for Sanctions, Finding Plas in	Filing	04/09/2010 - 10:05:26	
Pike, Mary	Affidavit of Mary Jane Pike	Filing	04/09/2010 - 11:26:10	
Rentz, Rhoda G.	Affidavit of Rhoda G. Rentz	Filing	04/09/2010 - 11:43:58	
Reynolds, Eva Marie	Affidavit of Eva Marie Reynolds	Filing	04/16/2010 - 12:10:44	
Parkview Apartments, A So	Affidavit of Eric Hilty	Filing	04/23/2010 - 15:42:25	

Name	Description	Action Type	Begin Date	Completion Date
Parkview Apartments, A So	Affidavit of Ellis M Johnston II	Filing	04/23/2010 - 15:42:55	
Parkview Apartments, A So	Motion to Strike & Memo in Opposition to Plt Motion for	Motion	04/23/2010 - 15:43:23	
Davis, Laurance Jr	Motion for Reconsideration, Alteration or Amendment	Motion	04/26/2010 - 12:15:34	
Parkview Apartments, A So	Affidavit of Ellis M Johnston II	Filing	04/26/2010 - 15:45:36	
Davis, Laurance Jr	Affidavit in Opposition to Affidavit of Defendants' Counsel	Filing	05/05/2010 - 12:24:50	
Davis, Laurance Jr	Order (Plafs Motion Seeking Reconsideration Denied)	Filing	09/20/2010 - 14:23:18	09/16/2010 - 14:23:18
Davis, Laurance Jr	Order (Pafs 2nd Recusal Motion is Denied)	Filing	10/11/2010 - 10:27:36	10/07/2010 - 10:27:36
Davis, Laurance Jr	Order Denying Plaintiff's Motion for Protective Order	Filing	10/25/2010 - 13:45:15	10/22/2010 - 13:45:15
Davis, Laurance Jr	Plafs Motion to Alter or Amend Order Denying Plafs Motion	Motion	11/09/2010 - 16:48:58	12/16/2010 - 16:48:58
Parkview Apartments, A So	Memorandum in Opposition to Plafs Motion to Alter or Amend	Filing	11/22/2010 - 15:40:01	
Davis, Laurance Jr	Notice of Appeal/Proof of Service	Filing	12/06/2010 - 16:56:24	
Davis, Laurance Jr	F4 Order-Pla Mot To Alter/Amend Denied	Order	12/16/2010 - 11:15:55	



Beaufort County Fourteenth Circuit Public Index

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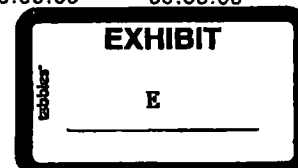
**Laurance H Davis Jr , plaintiff, et al VS Palmetto Apartments A Sc Limit
, defendant, et al**

Case Number: 2005CP0701989	Court Agency: Beaufort County Common Pleas	Filed Date: 10/13/2005
Case Type: Common Pleas	Case Sub Type: Special-Comp/Oth 699	File Type: Jury
Status: Appeal	Assigned Judge: Early, Doyet A. III	
Disposition: Ended by Non Jury	Disposition Date: 04/09/2010	Disposition Judge: Early, Doyet A. III
Original Source Doc: Judgment Number:	Original Case #:	

[Parties](#) | [Judgments](#) | [Actions](#) | [Associated Cases](#) | [Tax Map Information](#)

Actions

Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance H Jr	s-c	Filing	10/13/2005 - 00:00:00	10/13/2005 - 00:00:00
Davis, Laurance H Jr	s-c	Filing	10/13/2005 - 00:00:00	10/13/2005 - 00:00:00
Davis, Laurance H Jr	Filing Fee -150	Filing	10/13/2005 - 00:00:00	10/13/2005 - 00:00:00
Davis, Laurance H Jr	cer ser(SC Sec State statutory agt ISTC)	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Davis, Laurance H Jr	cer ser(ISTC)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Davis, Laurance H Jr	cer ser(Apartment Investment&Mgmt/Palmetto Apts)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Davis, Laurance H Jr	cer ser(Amreal Corp/Palmetto Apartments)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Davis, Laurance H Jr	cer ser(Apartment Investment& Mgmt/Insignia	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00



Name	Description	Action Type	Begin Date	Completion Date
	Financial)11/2/0			
Davis, Laurance H Jr	cer ser(Apartment Investment/Corporation Ser)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Davis, Laurance H Jr	cer ser(Amreal Corp/Corporation Ser)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Davis, Laurance H Jr	(cnt)pla's1st set of Interrog.&1st rqst to prodce on10/25/05	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Davis, Laurance H Jr	aff ser(Palmetto Apartmnts Lmtd Prtnrshp by Linda Tuck)s-c,	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Davis, Laurance H Jr	(cnt)of interrog.to def,1st rqst to produce on 10/25/05	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Davis, Laurance H Jr	aff ser(N Barton Tuck by Linda Tuck,spouse)s-c,pla's1st set	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Palmetto Apartments A Sc Limit	cnt:cer ser cncl rec 12/28/05(mot & ord on def resp time)	Filing	01/06/2006 - 00:00:00	01/06/2006 - 00:00:00
Palmetto Apartments A Sc Limit	ord(Gregary)def ans/resp on/before 1/16/06	Filing	01/06/2006 - 00:00:00	01/06/2006 - 00:00:00
Palmetto Apartments A Sc Limit	Palmetto unopposed mto for ext time file ans/resp pl comp	Filing	01/06/2006 - 00:00:00	01/06/2006 - 00:00:00
Palmetto Apartments A Sc Limit	cnt:cer ser cncl rec 1/17/06(ans,mot trans venue&dsms,affs)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	aff(Joan Christ)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	aff(George Buchanan)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	aff(Douglas G.Brown)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	aff(N.Barton Tuck,Jr)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	aff(William Jarrard)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	aff(Gary Hediger)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	aff(Arthur L.Howson,Jr)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	defs mot to dsmsl counts 1-7	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	mot to dsms for improper venue or alt trns to venue	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	cnt:ISTC,N.Barton,ALL DEFS)	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Palmetto Apartments A Sc Limit	ans(Palmetto Apts,Apartment Inv & mgmt co,Insignia,amreal,	Filing	01/20/2006 - 00:00:00	01/20/2006 - 00:00:00
Davis, Laurance H Jr	Dismiss Counts 1-7(Judge Early)	Filing	01/20/2006 - 00:00:00	04/09/2010 - 00:00:00
Davis, Laurance H Jr	Improper Venue(Judge Early)	Filing	01/20/2006 - 00:00:00	04/09/2010 - 00:00:00
Palmetto Apartments A Sc Limit	Notice of Filing Original Discovery Requests/Service		08/08/2006 - 10:05:11	04/09/2010 - 10:05:11
Palmetto Apartments A	Interrogatories		08/08/2006 -	04/09/2010 -

Name	Description	Action Type	Begin Date	Completion Date
Sc Limit			10:06:10	10:06:10
Palmetto Apartments A Sc Limit	Request for Production		08/08/2006 - 10:06:54	04/09/2010 - 10:06:54
Palmetto Apartments A Sc Limit	Request for Admissions		08/08/2006 - 10:07:40	04/09/2010 - 10:07:40
Palmetto Apartments A Sc Limit	Request for Admissions Exhibits		08/08/2006 - 10:11:34	04/09/2010 - 10:11:34
Palmetto Apartments A Sc Limit	Brief In Support of Motion to Dismiss of SJ/Exhibits/Service		08/08/2006 - 10:14:51	04/09/2010 - 10:14:51
Davis, Laurance H Jr	Plf memo/oppose to def motions & cert of service		08/29/2006 - 09:54:02	04/09/2010 - 09:54:02
Palmetto Apartments A Sc Limit	Def's Reply brief, Aff of N.Barton Tuck, Jr, & cert/service		09/25/2006 - 11:27:17	04/09/2010 - 11:27:17
Davis, Laurance H Jr	Aff of Laurance H Davis, Jr & cert/mailling		10/02/2006 - 10:40:17	04/09/2010 - 10:40:17
Davis, Laurance H Jr	Affidavit of Gregory B Adams		10/02/2006 - 13:48:42	04/09/2010 - 13:48:42
Davis, Laurance H Jr	Affidavit of James W Ivey		10/02/2006 - 13:50:40	04/09/2010 - 13:50:40
Ivey, Erin E	Affidavit of Erin E. Ivey		10/02/2006 - 13:52:31	04/09/2010 - 13:52:31
Davis, Laurance H Jr	Certificate of mailing of JasIvey, Erin Ivey & G.V.Adams aff		10/02/2006 - 13:54:42	04/09/2010 - 13:54:42
Palmetto Apartments A Sc Limit	Order denyng defs' motion/dismiss or sum judgment		02/27/2007 - 13:06:59	03/02/2007 - 13:06:59
Davis, Laurance H Jr	Letter Regarding MTB Group Inc	Filing	11/01/2007 - 10:25:30	04/09/2010 - 10:25:30
Palmetto Apartment A Sc Limite	Motion & order of commissoion for out of state subpoena/ser	Motion	12/28/2007 - 14:46:28	02/08/2010 - 14:46:28
Davis, Laurance H Jr	CP Jury Trial Docket	Event	12/30/2007 - 10:00:00	09/11/2007 - 17:00:00
Davis, Laurance H Jr	Affidavit of Edward Hughes & Cert of Service	Filing	01/10/2008 - 15:40:13	04/09/2010 - 15:40:13
AIMCO	Motion/Protective Order Cert of Service	Motion	02/21/2008 - 11:12:30	02/21/2008 - 11:12:30
Palmetto Apartments A Sc Limit	Motion/Amend Scheduling Order & Cert of Service	Motion	04/29/2008 - 15:38:31	04/29/2008 - 15:38:31
Palmetto Apartments A Sc Limit	Order/commission out of state subpoena	Filing	04/29/2008 - 08:54:34	04/09/2010 - 08:54:34
Palmetto Apartments A Sc Limit	Order/commission of out of state subpoena	Filing	04/29/2008 - 08:55:25	04/09/2010 - 08:55:25
Palmetto Apartments A Sc Limit	Order/commission out of state subpoena	Filing	04/29/2008 - 08:56:58	04/09/2010 - 08:56:58
Palmetto Apartments A Sc Limit	Order/commission out of state subpoena	Filing	04/29/2008 - 08:58:15	04/09/2010 - 08:58:15
Palmetto Apartments A Sc Limit	Order/commission out of state subpoena	Filing	04/29/2008 - 08:59:19	04/09/2010 - 08:59:19
Palmetto Apartments A Sc Limit	Order/commission out of state subpoena	Filing	04/29/2008 - 09:00:05	04/09/2010 - 09:00:05
Palmetto Apartments A Sc Limit	Order/commission out of state subpoena	Filing	04/29/2008 - 09:01:07	04/09/2010 - 09:01:07
Palmetto Apartments A	Order of commlssion for out of	Filing	04/29/2008 -	04/09/2010 -

Name	Description	Action Type	Begin Date	Completion Date
Sc Limit	state subpoena		09:53:49	09:53:49
Palmetto Apartments A Sc Limit	Order/commission for out of state subpoena	Filing	04/29/2008 - 15:36:36	04/09/2010 - 15:36:36
Palmetto Apartments A Sc Limit	Order/Motion for Summary Judgment is denied	Order	06/17/2008 - 15:39:25	04/09/2010 - 15:39:25
Palmetto Apartments A Sc Limit	Memo in Opposition to Plf's Mot/Compel #3,4,5; Cert/Serv	Filing	07/03/2008 - 09:06:55	04/09/2010 - 09:06:55
Palmetto Apartments A Sc Limit	Memo in Opposition to Plf's Mot/Compel #6; Cert/Serv	Filing	07/03/2008 - 09:07:53	04/09/2010 - 09:07:53
Davis, Laurance H Jr	Cert/Serv-Aff/Oliver Wood Jr of Cncl or Record on 7-29-08	Filing	08/01/2008 - 13:50:01	04/09/2010 - 13:50:01
Davis, Laurance H Jr	Form 4 Order (trial date certain 5-18-09)	Order	08/26/2008 - 09:35:18	08/26/2008 - 09:35:18
Palmetto Apartments A Sc Limit	Motion to Compel Discovery Responses	Filing	11/10/2008 - 12:07:18	04/09/2010 - 12:07:18
Palmetto Apartments A Sc Limit	Memo in Support of Motion to Compel Discovery Responses	Filing	12/11/2008 - 13:30:32	04/09/2010 - 13:30:32
Palmetto Apartments A Sc Limit	Order Denying Motion to Compel #2 & Cert of Service	Filing	12/23/2008 - 15:52:38	12/17/2008 - 15:52:38
Palmetto Apartments A Sc Limit	Order/Appointing Honorable Gary E Clary as Special Master	Filing	01/06/2009 - 10:27:54	12/30/2008 - 10:27:54
Davis, Laurance H Jr	Plas' Mot To Alter/Amend Order Appt Special Master(Original	Filing	01/15/2009 - 14:27:10	04/09/2010 - 14:27:10
Palmetto Apartments A Sc Limit	Consent Order Regarding Scope of Authority for Special	Filing	02/10/2009 - 10:38:30	01/31/2009 - 10:38:30
Palmetto Apartments A Sc Limit	Memo in Support of Motion for Protective Order/Cert Serv	Filing	02/13/2009 - 11:49:05	04/09/2010 - 11:49:05
Palmetto Apartments A Sc Limit	Memo/Opp to Plaintiffs' 2 Motions to Alter & Amend/Cert Serv	Filing	02/13/2009 - 11:57:56	04/09/2010 - 11:57:56
Davis, Laurance H Jr	Order Granting in Part & Denying in Part Plt Motion to	Filing	03/09/2009 - 15:49:02	03/03/2009 - 15:49:02
Palmetto Apartments A Sc Limit	Order Granting Def Motion to Compel Dated 11/06/08	Filing	03/10/2009 - 15:51:44	03/03/2009 - 15:51:44
Palmetto Apartments A Sc Limit	Order to Continue Case until 1st Available Trial Date on or	Filing	03/16/2009 - 16:21:17	03/09/2009 - 16:21:17
Davis, Laurance H Jr	Motion/Alter and/or Amend Order Granting Def Motion to	Motion	03/17/2009 - 15:59:43	04/09/2010 - 15:59:43
Davis, Laurance H Jr	Order Regarding Scope of Authority for Special Master & Cert	Filing	04/15/2009 - 16:06:41	04/09/2009 - 16:06:41
Vick, Calvin T Jr.	Order for Protection for June 8-15,2009 & Cert of Service	Filing	05/20/2009 - 16:14:18	05/12/2009 - 16:14:18
Palmetto Apartments A Sc Limit	Motion to Alter or Amend Order / fee paid in case 03/726	Motion	06/18/2009 - 14:49:09	04/09/2010 - 14:49:09
Palmetto Apartment A Sc Limite	Memo/Memo In Support of Motion to Amend	Filing	07/07/2009 - 11:27:00	04/09/2010 - 09:13:21
Palmetto Apartments A Sc Limit	Motion to Seal	Motion	07/30/2009 - 09:49:19	07/30/2009 - 09:49:19
Palmetto Apartments A Sc Limit	Motion/Sanctions & Cert of Servcie	Motion	07/31/2009 - 11:31:37	12/15/2009 - 11:31:37
Davis, Laurance H Jr	Order Amending Courts Order Dated 6/02/09	Filing	08/03/2009 - 11:02:51	07/28/2009 - 11:02:51

Name	Description	Action Type	Begin Date	Completion Date
Palmetto Apartments A Sc Limit	2nd Motion for Sanctions & Cert of Service	Motion	08/14/2009 - 10:18:10	12/15/2009 - 10:18:10
Palmetto Apartments A Sc Limit	Memo/Memo in Support of 2 Motions to Sanction	Filing	08/25/2009 - 16:14:00	04/09/2010 - 16:31:05
Palmetto Apartments A Sc Limit	Memo/Memo In Support of Motions For Sanctions	Filing	08/31/2009 - 16:41:00	04/09/2010 - 08:23:27
AIMCO	Order Granting DEF's Motion to Seal	Filing	09/04/2009 - 14:54:00	04/09/2010 - 13:55:21
Davis, Laurance H Jr	Notice of Appeal of Order of Judge Early Dated 7/28/09	Filing	09/14/2009 - 15:05:40	04/09/2010 - 15:05:40
Davis, Laurance H Jr	Proof Ser(Counsel &COC for Bft,Chalreston,&Orangburg Cnty)of	Filing	09/14/2009 - 15:09:05	04/09/2010 - 15:09:05
Davis, Laurance H Jr	Letter	Filing	12/04/2009 - 15:52:04	04/09/2010 - 15:52:04
Palmetto Apartments A Sc Limit	CP Motion Hearing	Event	12/15/2009 - 11:00:00	11/17/2009 - 12:00:00
Palmetto Apartment A Sc Limite	Motion for Continuance & Cert of Service	Motion	12/22/2009 - 10:57:18	01/15/2010 - 10:57:18
Palmetto Apartments A Sc Limit	Order/Order Granting Motion for Continuance past 1-19-2010	Filing	01/15/2010 - 10:04:58	01/04/2010 - 10:04:58
Davis, Laurance H Jr	Motion/Relief from July 28,2009 Order Amendings Courts Oder	Motion	02/02/2010 - 11:05:00	04/09/2010 - 11:05:00
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Vick, Calvin T Jr.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Pendarvis, Thomas A.	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40

Name	Description	Action Type	Begin Date	Completion Date
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Palmetto Apartment A Sc Limite	Memo in Support of Motion for Sanctions re:General	Filing	02/16/2010 - 13:28:18	04/09/2010 - 13:28:18
Palmetto Apartments A Sc Limit	Supp memo in support of motion for sanctions and in	Filing	02/19/2010 - 11:20:19	04/09/2010 - 11:20:19
Davis, Laurance H Jr	Motion for Disclosure & Discovery	Motion	02/22/2010 - 15:05:39	
Davis, Laurance H Jr	Motion/Protective Order	Motion	02/22/2010 - 16:54:26	
Palmetto Apartment A Sc Limite	Defendants' Memorandum in Opposition to Plaintiffs'	Filing	03/03/2010 - 09:06:52	
Palmetto Apartment A Sc Limite	Defendants' Memorandum Opposing Plaintiffs'	Filing	03/03/2010 - 09:47:26	
Davis, Laurance H Jr	Plaintiff's Reply Memorandum in Support of Motion for	Filing	03/05/2010 - 08:34:48	
Palmetto Apartment A Sc Limite	Defendants' Surreply to Plaintiffs' Reply to Defendants'	Filing	03/08/2010 - 10:16:17	
Davis, Laurance H Jr	Motion for Recusal & for Vacation of Prior Orders	Motion	03/30/2010 - 14:29:09	
Davis, Laurance H Jr	Affidavit of Laurance H. Davis, Jr.	Filing	04/07/2010 - 10:42:48	
Davis, Laurance H Jr	Affidavit of Joel D. Bailey	Filing	04/07/2010 - 11:11:38	
Palmetto Apartments A Sc Limit	Order Granting Defs' Motions for Sanctions, Finding Plas in	Filing	04/09/2010 - 10:17:10	
Davis, Laurance H Jr	Affidavit of Mary Jane Pike	Filing	04/09/2010 - 11:30:53	
Davis, Laurance H Jr	Affidavit of Rhoda G. Rentz	Filing	04/09/2010 - 11:50:15	
Ivey, James W	Affidavit of James W. Ivey and Erin E. Ivey	Filing	04/16/2010 - 12:15:53	
Palmetto Apartments A Sc Limit	Affidavit of Eric Hilty	Filing	04/23/2010 - 15:59:05	
Palmetto Apartments A Sc Limit	Affidavit of Ellis M Johnston II	Filing	04/23/2010 - 15:59:39	
Palmetto Apartments A Sc Limit	Motion to Strike & Memo in Opposition to Plt Motion for	Motion	04/23/2010 - 16:00:12	
Davis, Laurance H Jr	Motion for Reconsideration, Alteration or Amendment	Motion	04/26/2010 - 12:33:03	
Palmetto Apartments A Sc Limit	Affidavit of Ellis M Johnston II	Filing	04/26/2010 - 16:01:50	
Davis, Laurance H Jr	Affidavit in Opposition to Affidavit of Defendants' Counsel	Filing	05/05/2010 - 12:07:18	
Davis, Laurance H Jr	Order (Plafs Motion Seeking Reconsideration Denied)	Filing	09/20/2010 - 14:30:08	09/16/2010 - 14:30:08
Davis, Laurance H Jr	Order (Plafs 2nd Recusal Motion Is Denied)	Filing	10/11/2010 - 10:29:32	10/07/2010 - 10:29:32
Davis, Laurance H Jr	Order Denying Plaintiff's Motion for Protective order	Filing	10/25/2010 - 13:48:59	10/22/2010 - 13:48:59
Davis, Laurance H Jr	Plafs Motion to Alter or Amend Order Denying Plafs Motion	Motion	11/09/2010 - 16:54:36	12/16/2010 - 16:54:36
Palmetto Apartments A Sc Limit	Memorandum in Opposition to Plafs Motion to Alter or Amend	Filing	11/22/2010 - 15:48:15	

Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance H Jr	Notice of Appeal/Proof of Service	Filing	12/06/2010 - 16:51:39	
Davis, Laurance H Jr	F4 Order-Pla Mot To Alter/Amend Denied	Order	12/16/2010 - 11:22:46	



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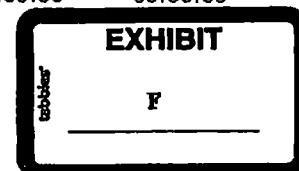
Carolina Management Corporatio , plaintiff, et al VS Pinewood Park Apartments A Sc , defendant, et al

Case Number: 2005CP0701990	Court: Beaufort County Agency: Common Pleas	Filed Date: 10/13/2005
Case Type: Common Pleas	Case Sub Type: Special-Comp/Oth Type: 699	File Type: Jury
Status: Appeal	Assigned Judge: Early, Doyet A. III	
Disposition: Ended by Non Jury	Disposition Date: 04/09/2010	Disposition Judge: Early, Doyet A. III
Original Source Doc: Judgment Number:	Original Case #:	

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Actions

Name	Description	Action Type	Begin Date	Completion Date
Carolina Management Corporatio	s-c	Filing	10/13/2005 - 00:00:00	10/13/2005 - 00:00:00
Carolina Management Corporatio	s-c	Filing	10/13/2005 - 00:00:00	10/13/2005 - 00:00:00
Carolina Management Corporatio	Filing Fee -150	Filing	10/13/2005 - 00:00:00	10/13/2005 - 00:00:00
Carolina Management Corporatio	cer ser(Apartment Investment&Mgmt/Pinewood apts)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Carolina Management Corporatio	cer ser(Amreal Corp/Corporation Ser)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Carolina Management Corporatio	cer ser(Apartment Investment&Mgmt/Corporation Serv)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Carolina Management Corporatio	cer ser(Apartment Investment Mgmt/Insignia Financial)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00



Name	Description	Action Type	Begin Date	Completion Date
Carolina Management Corporatio	cer ser(Amreal Corp/Pinewood Park Apts)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Carolina Management Corporatio	cer ser(ISTC)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Carolina Management Corporatio	cer ser(SC Sec State statutory agt for ISTC)11/2/05	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Carolina Management Corporatio	(cnt)Interrog.1st rqst to produce on 10/25/05	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Carolina Management Corporatio	aff ser(N Barton Tuck by Linda Tuck,spouse)s-c,pla's 1st set	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Carolina Management Corporatio	(cnt)1st request to produce on 10/25/05	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Carolina Management Corporatio	aff ser(Pinewood Park Apts by Linda Tuck)s-c,pla's1st inter	Filing	12/15/2005 - 00:00:00	12/15/2005 - 00:00:00
Carolina Management Corporatio	Dismiss Improper Venue(Johnson)	Filing	01/02/2006 - 00:00:00	04/09/2010 - 00:00:00
Pinewood Park Apartments A Sc	cnt:cer ser cncl rec 12/28/05(mot & ord to ext time def resp	Filing	01/06/2006 - 00:00:00	01/06/2006 - 00:00:00
Pinewood Park Apartments A Sc	ord(Gregary)ext of time for def to respond to pl comp	Filing	01/06/2006 - 00:00:00	01/06/2006 - 00:00:00
Pinewood Park Apartments A Sc	unopposed mot for ext of time(file ans/respond pl comp)	Filing	01/06/2006 - 00:00:00	01/06/2006 - 00:00:00
Pinewood Park Apartments A Sc	cnt:cer ser cncl rec 1/17/06(mot,ans,affs)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	aff(William Jarrard)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	aff(N.Barton Tuck,Jr)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	aff(Goerge Buchanan)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	aff(Douglas G.Brown)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	aff(Arthure L.Howson,Jr)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	answer of defs	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	dsms improper venue/trans venue(Johnson)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Pinewood Park Apartments A Sc	not & mot to dsms counts 1-7(Johnson)	Filing	01/23/2006 - 00:00:00	01/23/2006 - 00:00:00
Carolina Management Corporatio	Dismiss Counts 1-7(Johnson)	Filing	01/23/2006 - 00:00:00	04/09/2010 - 00:00:00
Tuck, N Barton Jr	Motion/for order removing N.Barton Tuck,Jr as def/service	Motion	07/31/2006 - 09:50:32	08/01/2007 - 09:50:32
Pinewood Park Apartments A Sc	Brief In Support of Motion to Dismiss or SJ		08/08/2006 - 09:42:15	04/09/2010 - 09:42:15
Carolina Management Corporatio	Plf's memopp to def mot & def's mot to dismiss & cert serv		08/29/2006 - 10:29:44	04/09/2010 - 10:29:44
Pinewood Park Apartments A Sc	Def's Reply brief & cert/service		09/25/2006 - 14:04:29	04/09/2010 - 14:04:29
Pinewood Park Apartments A Sc	Affidavit of N. Barton Tuck, Jr		09/25/2006 - 14:11:40	04/09/2010 - 14:11:40
Carolina Management	Affidavit of Laurance H. Davis,		10/02/2006 -	04/09/2010 -

Name	Description	Action Type	Begin Date	Completion Date
Corporatio	Jr & cert/mailing		10:53:36	10:53:36
Carolina Management Corporatio	Affidavit of Gregory B. Adams		10/02/2006 - 13:57:49	04/09/2010 - 13:57:49
Jackson, James B	Affidavit of James B Jackson, DDS		10/02/2006 - 14:01:41	04/09/2010 - 14:01:41
Carolina Management Corporatio	cert/serv of Jackson, Hinnant & Adams affs		10/02/2006 - 14:04:31	04/09/2010 - 14:04:31
Hinnant, Whaley R Jr	Affidavit of Whaley Hinnant, DDS		10/22/2006 - 14:00:17	04/09/2010 - 14:00:17
Carolina Management Corporatio	Order/Summary Judgment		03/27/2007 - 16:49:21	03/02/2007 - 16:49:21
Pinewood Park Apartments A Sc	Motion & order of commission for out of state subpoena/serv	Motion	12/28/2007 - 14:50:18	12/15/2009 - 14:50:18
Carolina Management Corporatio	CP Jury Trial Docket	Event	12/30/2007 - 10:00:00	09/11/2007 - 17:00:00
AIMCO	Motion/Protective Order & Cert of Service	Motion	02/21/2008 - 11:17:01	02/21/2008 - 11:17:01
Pinewood Park Apartments A Sc	Motion/Amend Scheduling Order & Cert of Service	Motion	04/29/2008 - 15:46:49	04/29/2008 - 15:46:49
Pinewood Park Apartments A Sc	Order/commission out of state subpoena	Filing	04/29/2008 - 09:02:24	04/09/2010 - 09:02:24
Pinewood Park Apartments A Sc	Order/commission out of state subpoena	Filing	04/29/2008 - 09:03:14	04/09/2010 - 09:03:14
Pinewood Park Apartments A Sc	Order/commission out of state subpoena	Filing	04/29/2008 - 09:03:55	04/09/2010 - 09:03:55
Pinewood Park Apartments A Sc	Order/out of state subpoena	Filing	04/29/2008 - 09:04:46	04/09/2010 - 09:04:46
Pinewood Park Apartments A Sc	Order/commission out of state subpoena	Filing	04/29/2008 - 09:05:28	04/09/2010 - 09:05:28
Pinewood Park Apartments A Sc	Order/commission out of state subpoena	Filing	04/29/2008 - 09:06:15	04/09/2010 - 09:06:15
Pinewood Park Apartments A Sc	Order/commission out of state subpoena	Filing	04/29/2008 - 09:08:02	04/09/2010 - 09:08:02
Carolina Management Corporatio	Order of commission for out of state subpoena	Filing	04/29/2008 - 09:55:15	04/09/2010 - 09:55:15
Pinewood Park Apartments A Sc	Order/commission for out of state subpoena	Filing	04/29/2008 - 15:38:21	04/09/2010 - 15:38:21
Carolina Management Corporatio	Cert/Serv-Aff/Oliver Wood Jr on Cncl of Record 7-29-08	Filing	08/01/2008 - 13:47:33	04/09/2010 - 13:47:33
Carolina Management Corporatio	Form 4 Order (trial date certain 5-18-09)	Order	08/26/2008 - 09:25:47	08/26/2008 - 09:25:47
Pinewood Park Apartments A Sc	Filing/Motion to Compel Discovery Responses	Filing	11/10/2008 - 12:11:00	04/09/2010 - 12:11:00
Pinewood Park Apartments A Sc	Memo in Support of Motion to Compel Discover Responses	Filing	12/11/2008 - 13:34:06	04/09/2010 - 13:34:06
Pinewood Park Apartments A Sc	Order Denying Motion to Compel #2 & Cert of Service	Filing	12/23/2008 - 15:49:45	12/17/2008 - 15:49:45
Pinewood Park Apartments A Sc	Order/Appointing Honorable Gary E Clary as Special Master	Filing	01/06/2009 - 10:31:04	12/30/2008 - 10:31:04
Carolina Management Corporatio	Plas' Motion To Alter/Amend Order Appt Special Master(Origin	Filing	01/16/2009 - 14:26:00	04/09/2010 - 14:26:00
Pinewood Park Apartments A Sc	Consent Order Regarding Scope of Authority for Special	Filing	02/10/2009 - 10:28:48	01/31/2009 - 10:28:48
Pinewood Park	Memo/Support of Motion for	Filing	02/13/2009 -	04/09/2010 -

Name	Description	Action Type	Begin Date	Completion Date
Apartments A Sc	Protective Order/Cert Serv		11:32:46	11:32:46
Carolina Management Corporatio	Order Granting in Part & Denying in Part Plt Motion to	Filing	03/09/2009 - 15:42:43	03/03/2009 - 15:42:43
Pinewood Park Apartments A Sc	Order Granting Def Motion to Compel Dated 11/06/09	Filing	03/10/2009 - 15:46:55	03/03/2009 - 15:46:55
Pinewood Park Apartments A Sc	Order to Continue Case Until 1st Available Trial Date on or	Filing	03/16/2009 - 16:24:07	03/09/2009 - 16:24:07
Carolina Management Corporatio	Motion/Alter and/or Amend Order Granting Def Motion to	Motion	03/17/2009 - 15:42:18	04/09/2010 - 15:42:18
Pinewood Park Apartments A Sc	Memo In Opposition (see notes)/Cert Serv	Filing	04/07/2009 - 13:36:40	04/09/2010 - 13:36:40
Carolina Management Corporatio	Order Regarding Scope of Authority for Special Master & Cert	Filing	04/15/2009 - 16:09:07	04/09/2009 - 16:09:07
Vick, Calvin T Jr	Order for Protection for June 8-15,2009 & Cert of Service	Filing	05/20/2009 - 16:15:57	05/12/2009 - 16:15:57
Pinewood Park Apartments A Sc	Motion to Alter or Amend Order & Cert of Service	Motion	06/18/2009 - 14:53:50	04/09/2010 - 14:53:50
Pinewood Park Apartments A Sc	Memo/Memo in Support of Motion to Amend	Filing	07/07/2009 - 11:29:00	04/09/2010 - 09:15:10
Pinewood Park Apartments A Sc	Motion to Seal	Motion	07/30/2009 - 10:23:16	07/30/2009 - 10:23:16
Pinewood Park Apartments A Sc	Motion/Sanctions & Cert of Service	Motion	07/31/2009 - 12:56:41	12/15/2009 - 12:56:41
Carolina Management Corporatio	Order Amending Courts Order Dated 6/02/09	Filing	08/03/2009 - 11:13:20	07/28/2009 - 11:13:20
Pinewood Park Apartments A Sc	2nd Motion for Sanctions & Cert of Service	Motion	08/14/2009 - 10:22:11	12/15/2009 - 10:22:11
Pinewood Park Apartments A Sc	Memo/Memo In Support of 2 Motions to Sanction	Filing	08/25/2009 - 16:15:00	04/09/2010 - 16:37:02
Pinewood Park Apartments A Sc	Memo/Memo In Support of motion for Sanctions	Filing	08/31/2009 - 16:42:00	04/09/2010 - 08:21:32
AIMCO	Order Granting DEF's Motion to Seal	Filing	09/04/2009 - 14:54:00	04/09/2010 - 13:56:15
Carolina Management Corporatio	Notice of Appeal of Order of Judge Early Dated 7/28/09	Filing	09/14/2009 - 15:06:00	04/09/2010 - 15:06:00
Carolina Management Corporatio	Proof Ser(Counsel &COC for Bft,Chalreston,&Orangburg Cnty)of	Filing	09/14/2009 - 15:10:22	04/09/2010 - 15:10:22
Pinewood Park Apartments A Sc	CP Motion Hearing	Event	12/15/2009 - 11:00:00	11/17/2009 - 12:00:00
Pinewood Park Apartments A Sc	Motion for Continuance & Cert of Service	Motion	12/22/2009 - 11:00:47	01/14/2010 - 11:00:47
Pinewood Park Apartments A Sc	Order/Order Granting Motion for Continuance past 1-19-2010	Filing	01/14/2010 - 16:15:00	01/04/2010 - 10:07:56
Carolina Management Corporatio	Motion/Relief from July 28, 2009 Order Amending Courts Order	Motion	02/02/2010 - 11:10:44	04/09/2010 - 11:10:44
Pendarvis, Thomas A	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Pendarvis, Thomas A	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52

Name	Description	Action Type	Begin Date	Completion Date
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Vick, Calvin T Jr	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Vick, Calvin T Jr	Notice of Motions Roster Publication Sent	Amount	02/09/2010 - 13:48:52	04/09/2010 - 13:48:52
Pendarvis, Thomas A	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Pendarvis, Thomas A	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Vick, Calvin T Jr	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Vick, Calvin T Jr	Notice of Motions Roster Publication Sent	Amount	02/12/2010 - 16:46:40	04/09/2010 - 16:46:40
Pinewood Park Apartments A Sc	Memo in Support for Sanctions re: General Discovery	Filing	02/16/2010 - 11:43:47	04/09/2010 - 11:43:47
Pinewood Park Apartments A Sc	Supp memo in Support of their Motion for Sanctions and in	Filing	02/19/2010 - 11:47:01	04/09/2010 - 11:47:01
Carolina Management Corporatio	Motion for Disclosure & Discovery	Motion	02/22/2010 - 17:01:11	
Carolina Management Corporatio	Motion/Protective Order	Motion	02/22/2010 - 17:04:58	
Pendarvis, Thomas A	Notice of Motions Roster Publication Sent	Amount	02/24/2010 - 08:29:07	04/09/2010 - 08:29:07
Bailey, Joel D	Notice of Motions Roster Publication Sent	Amount	02/24/2010 - 08:29:07	04/09/2010 - 08:29:07
Johnston, Ellis M II	Notice of Motions Roster Publication Sent	Amount	02/24/2010 - 08:29:07	04/09/2010 - 08:29:07
Vick, Calvin T Jr	Notice of Motions Roster Publication Sent	Amount	02/24/2010 - 08:29:07	04/09/2010 - 08:29:07
Pinewood Park Apartments A Sc	Defendants' Memorandum in Opposition to Plaintiffs'	Filing	03/03/2010 - 09:19:10	
Pinewood Park Apartments A Sc	Defendants' Memorandum Opposing Plaintiffs' Motion	Filing	03/03/2010 - 09:55:41	
Carolina Management Corporatio	Plaintiffs' Reply Memorandum in Support of Motion for	Filing	03/05/2010 - 08:39:08	
Pinewood Park Apartments A Sc	Defendants' Surreply to Plaintiffs' Reply to Defendants'	Filing	03/08/2010 - 10:22:13	
Carolina Management Corporatio	Motion for Recusal & for Vacation of Prior Orders	Motion	03/30/2010 - 14:33:27	
Carolina Management Corporatio	Affidavit of Laurance H. Davis, Jr.	Filing	04/07/2010 - 10:56:56	
Carolina Management	Affidavit of Joel D. Bailey	Filing	04/07/2010 -	

Name	Description	Action Type	Begin Date	Completion Date
Corporatio			11:16:06	
Pinewood Park Apartments A Sc	Order Granting Defs' Motlons for Sanctions, Finding Plas in	Filing	04/09/2010 - 10:22:30	
Carolina Management Corporatio	Affidavit of Mary Jane Pike	Filing	04/09/2010 - 11:37:25	
Rentz, Rhoda G	Affidavit of Rhoda G. Rentz	Filing	04/09/2010 - 11:55:25	
Hinnant, Whaley R Jr	Affidavit	Filing	04/15/2010 - 12:11:00	
Pinewood Park Apartments A Sc	Motion to Strike & Memo in Opposition to Plt Motion for	Motion	04/23/2010 - 16:08:09	
Pinewood Park Apartments A Sc	Affidavit of Eric Hilty	Filing	04/23/2010 - 16:09:33	
Pinewood Park Apartments A Sc	Affidavit of Ellis M Johnston II	Filing	04/23/2010 - 16:09:53	
Carolina Management Corporatio	Motion for Reconsideration, Alternation or Amendment	Motion	04/26/2010 - 12:46:02	
Pinewood Park Apartments A Sc	Affidavit of Ellis M Johnston II	Filing	04/26/2010 - 16:10:26	
Carolina Management Corporatio	Affidavit in Opposition to Affidavit of Defendants' Counsel	Filing	05/05/2010 - 12:12:24	
Carolina Management Corporatio	Order (Pafs Motion Seeking Reconsideration Denied)	Filing	09/20/2010 - 14:32:18	09/16/2010 - 14:32:18
Carolina Management Corporatio	Order (Plafs 2nd Recusal Motion is Denied)	Filing	10/11/2010 - 10:32:19	10/07/2010 - 10:32:19
Carolina Management Corporatio	Order Denying Plaintiff's Motion for Protective Order	Filing	10/25/2010 - 13:50:14	10/22/2010 - 13:50:14
Carolina Management Corporatio	Plafs Motion to Alter or Amend Order Denying Plafs Motion	Motion	11/09/2010 - 16:58:11	12/16/2010 - 16:58:11
Pinewood Park Apartments A Sc	Memorandum in Opposition to Plafs Motion to Alter or Amend	Filing	11/22/2010 - 15:52:39	
Carolina Management Corporatio	Notice of Appeal/Proof of Service	Filing	12/06/2010 - 16:54:32	
Carolina Management Corporatio	F4 Order-Pla Mot To Alter/Amend Denied	Order	12/16/2010 - 11:23:58	



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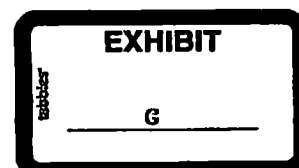
**Laurance H jr Davis , plaintiff, et al VS Roosevelt gardens , defendant,
et al**

<p>Case Number: 2005CP3801131</p> <p>Case Type: Common Pleas</p> <p>Status: Pending/Status Conf Set</p> <p>Disposition:</p> <p>Original Source Doc:</p> <p>Judgment Number:</p>	<p>Court Agency: Common Pleas</p> <p>Case Sub Type: Breach of Cont 140</p> <p>Assigned Judge: Early, Doyet A. III</p> <p>Disposition Date:</p> <p>Original Case #:</p>	<p>Filed Date: 10/17/2005</p> <p>File Type: Jury</p> <p>Disposition Judge:</p>
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Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance H jr	Summons & Complaint	Filing	10/17/2005 - 00:00:00	10/17/2005 - 00:00:00
Davis, Laurance H jr	SUMM/COMP	Filing	10/17/2005 - 00:00:00	10/17/2005 - 00:00:00
Davis, Laurance H jr	CERT SERVS	Filing	11/07/2005 - 00:00:00	11/07/2005 - 00:00:00
Davis, Laurance H jr	AFF SERV/2	Filing	12/16/2005 - 00:00:00	12/16/2005 - 00:00:00
Davis, Laurance H jr	ORDER EXTENSION	Filing	12/29/2005 - 00:00:00	12/29/2005 - 00:00:00
Roosevelt gardens	MOTION DISM/2	Filing	01/18/2006 - 00:00:00	01/18/2006 - 00:00:00
Roosevelt gardens	MOTION DISM/2	Filing	01/18/2006 - 00:00:00	01/18/2006 - 00:00:00
Roosevelt gardens	DISCOVER REQ & INTERR	Filing	08/07/2006 - 00:00:00	08/07/2006 - 00:00:00



Name	Description	Action Type	Begin Date	Completion Date
Roosevelt gardens	BRIEF IN SUPPORT MTD	Filing	08/07/2006 - 00:00:00	08/07/2006 - 00:00:00
Davis, Laurance H jr	MEMOR OF LAW	Filing	08/28/2006 - 00:00:00	08/28/2006 - 00:00:00
Roosevelt gardens	REPLY BRIEF & AFFIDAVITS	Filing	09/21/2006 - 00:00:00	09/21/2006 - 00:00:00
Davis, Laurance H jr	CERT OF MAIL/AFF OF MILESHODGE	Filing	10/02/2006 - 00:00:00	10/02/2006 - 00:00:00
Davis, Laurance H jr	AFF OF GREGORY B. ADAMS	Filing	10/02/2006 - 00:00:00	10/02/2006 - 00:00:00
Davis, Laurance H jr	AFFIDAVIT	Filing	10/04/2006 - 00:00:00	10/04/2006 - 00:00:00
Davis, Laurance H jr	ORDER DENY MOTION DISM	Filing	02/21/2007 - 00:00:00	02/21/2007 - 00:00:00
Davis, Laurance H jr	RETURN OF SUBP	Filing	10/31/2007 - 00:00:00	10/31/2007 - 00:00:00
Davis, Laurance H jr	BRIEF IN OPPOSITION	Filing	11/20/2007 - 00:00:00	11/20/2007 - 00:00:00
Davis, Laurance H jr	CERT SERV	Filing	12/07/2007 - 00:00:00	12/07/2007 - 00:00:00
Davis, Laurance H jr	AFFIDAVIT MCLEAN	Filing	12/14/2007 - 00:00:00	12/14/2007 - 00:00:00
Davis, Laurance H jr	ORDER OF COMMISSION FOR OUT-OFSTATE SUBPOENA TO THE MTB GROU	Filing	01/02/2008 - 00:00:00	01/02/2008 - 00:00:00
Roosevelt gardens	MOT INFO FORM/COVERSHEET	Filing	01/02/2008 - 00:00:00	01/02/2008 - 00:00:00
Roosevelt gardens	DEF'S MOT FOR ISSUANCE OF ACOMM FOR THE OUT OF STATE SUB	Filing	01/02/2008 - 00:00:00	01/02/2008 - 00:00:00
Roosevelt gardens	CERT OF SERV	Filing	01/02/2008 - 00:00:00	01/02/2008 - 00:00:00
Davis, Laurance H jr	ORDER OF COMMISSION	Filing	02/06/2008 - 00:00:00	02/06/2008 - 00:00:00
Davis, Laurance H jr	LETTER HSB	Filing	02/15/2008 - 00:00:00	02/15/2008 - 00:00:00
Davis, Laurance H jr	MOTION FOR PROT ORDER	Filing	03/04/2008 - 00:00:00	03/04/2008 - 00:00:00
Roosevelt gardens	MOTION FOR PROTECTIVE ORDER	Filing	03/06/2008 - 00:00:00	03/06/2008 - 00:00:00
Davis, Laurance H jr	LETTER	Filing	04/24/2008 - 00:00:00	04/24/2008 - 00:00:00
Davis, Laurance H jr	LETTER	Filing	04/28/2008 - 00:00:00	04/28/2008 - 00:00:00
Davis, Laurance H jr	ORDER OF COMM FOR OUT STATESUBP	Filing	05/02/2008 - 00:00:00	05/02/2008 - 00:00:00
Roosevelt gardens	MOTION AMEND SCHED ORDER	Filing	05/02/2008 - 00:00:00	05/02/2008 - 00:00:00
Roosevelt gardens	ORDER DENY MTION FOR SJ	Filing	06/17/2008 - 00:00:00	06/17/2008 - 00:00:00
Roosevelt gardens	DEF BRIEF IN OPP/MOT TO COMPEL	Filing	07/10/2008 - 00:00:00	07/10/2008 - 00:00:00
Roosevelt gardens	CERT OF SERV	Filing	08/04/2008 - 00:00:00	08/04/2008 - 00:00:00
Davis, Laurance H jr	Order/Order	Order	11/24/2008 -	

Name	Description	Action Type	Begin Date	Completion Date
			13:12:00	
Davis, Laurance H jr	Motion/Compel	Motion	11/25/2008 - 16:33:00	04/06/2009 - 10:44:02
Davis, Laurance H jr	Memo/Memo In Support	Filing	12/15/2008 - 13:37:00	
Davis, Laurance H jr	Order/Denying Motion To Compel	Order	01/05/2009 - 15:24:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	01/05/2009 - 15:25:00	
Davis, Laurance H jr	Order/Appointing The Hon. Gary E. Clary	Order	01/08/2009 - 08:38:21	
Davis, Laurance H jr	Letter/Letter	Filing	02/11/2009 - 11:56:00	
Davis, Laurance H jr	Order/Consent Order regarding scope/ authority for special m	Order	02/17/2009 - 11:19:45	
Davis, Laurance H jr	Memo/Memo in Opposition	Filing	02/19/2009 - 15:03:00	
Davis, Laurance H jr	Memo/Memo in Support	Filing	02/19/2009 - 15:03:00	
Davis, Laurance H jr	Letter/Letter	Filing	03/09/2009 - 12:40:00	
Davis, Laurance H jr	Letter/Letter	Filing	03/12/2009 - 12:49:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	03/16/2009 - 11:48:00	06/11/2009 - 10:37:36
Davis, Laurance H jr	Plaintiff's Motion/Alter or Amend Order Granting Motion/Compel	Motion	03/16/2009 - 11:48:00	06/11/2009 - 10:38:35
Davis, Laurance H jr	Service/Certificate Of Hand Delivery	Filing	03/16/2009 - 11:48:00	
Davis, Laurance H jr	Order Granting and Denying in part Plaintiff's Motion/Compel	Order	03/17/2009 - 13:57:00	
Davis, Laurance H jr	Order/Order	Order	03/20/2009 - 13:10:00	
Davis, Laurance H jr	Letter/Letter	Filing	04/07/2009 - 08:33:00	
Davis, Laurance H jr	Memo/Memo In Opposition order granting motion compel	Filing	04/14/2009 - 08:29:00	
Davis, Laurance H jr	Order Regarding scope of authority for special master	Order	04/20/2009 - 16:32:00	
Davis, Laurance H jr	Letter/Letter of Protection Order	Filing	05/19/2009 - 14:17:00	
Davis, Laurance H jr	Order/Protective Order	Order	05/26/2009 - 13:35:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	06/15/2009 - 11:19:00	
Davis, Laurance H jr	Motion to Alter or Amend Order (Judge Early Bamerg Co)	Motion	06/15/2009 - 11:20:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	06/15/2009 - 11:20:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	06/24/2009 - 11:51:00	
Davis, Laurance H jr	Motion/Motion to amend or Alter Order	Motion	06/24/2009 - 11:51:00	
Davis, Laurance H jr	Order/Amend or Alter	Order	07/07/2009 -	

Name	Description	Action Type	Begin Date	Completion Date
			09:42:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	07/07/2009 - 09:42:00	
Davis, Laurance H jr	Memo/Memo In Support of Defendants Motion	Filing	07/10/2009 - 15:52:00	
Davis, Laurance H jr	Letter/Letter	Filing	07/28/2009 - 12:23:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	08/03/2009 - 16:53:00	
Davis, Laurance H jr	Motion/Motion to Seal	Motion	08/03/2009 - 16:53:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	08/06/2009 - 14:45:00	
Davis, Laurance H jr	Defendant's Motion For Sanctions	Motion	08/06/2009 - 14:45:00	
Davis, Laurance H jr	Order/Amending Court's Order dated June 2,2009	Order	08/06/2009 - 14:47:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	08/20/2009 - 23:46:00	
Davis, Laurance H jr	Defendants 2nd Motion For Sanctions	Motion	08/20/2009 - 23:46:00	
Davis, Laurance H jr	Memo/Memo in Support	Filing	08/24/2009 - 16:30:00	
Davis, Laurance H jr	Letter/Letter supp. Memo in support of Defendants	Filing	08/28/2009 - 13:07:00	
Davis, Laurance H jr	Memo/Memo in Support of Defendant's Two Motions	Filing	08/31/2009 - 15:22:00	
Davis, Laurance H jr	Letter Granting defendant's Motion to Seal	Filing	09/02/2009 - 11:55:00	
Davis, Laurance H jr	Supp. Memo in Support of Motion for Sanctions	Filing	09/09/2009 - 15:15:00	
Davis, Laurance H jr	Order/Granting Motion to Seal	Order	09/14/2009 - 13:10:00	
Davis, Laurance H jr	Notlce/Notice of Appeal	Filing	09/14/2009 - 14:18:00	
Davis, Laurance H jr	Order/Order Appeal Granted	Order	12/03/2009 - 13:39:00	
Davis, Laurance H jr	Letter/Letter	Filing	12/18/2009 - 15:10:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	01/04/2010 - 14:35:00	
Davis, Laurance H jr	Motion/Motion For Continuance	Motion	01/04/2010 - 14:35:00	
Davis, Laurance H jr	Consent Order Granting Defendant's motion for Continuance	Order	01/15/2010 - 12:27:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	02/01/2010 - 11:38:00	
Davis, Laurance H jr	Motion/Motion For Relief from Order Amending Court's order	Motion	02/01/2010 - 11:38:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	02/01/2010 - 11:38:00	
Davis, Laurance H jr	Order/Protective Order For Thomas A Pendarvis	Order	02/08/2010 - 15:55:00	
Davis, Laurance H jr	Defendant's 2nd Supp Memo	Filing	02/12/2010 -	

Name	Description	Action Type	Begin Date	Completion Date
			11:35:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	02/22/2010 - 14:34:00	
Davis, Laurance H jr	Motion/Motion For Protective Order	Motion	02/22/2010 - 14:34:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	02/22/2010 - 14:35:00	
Davis, Laurance H jr	Motion/Motion For Disclosure & Discovery	Motion	02/22/2010 - 14:35:00	
Davis, Laurance H jr	Memo/Memo in Support 2nd Supp	Filing	02/22/2010 - 16:36:00	
Davis, Laurance H jr	Defendant's Supp Memo in Support of Motion for Sanctions	Filing	03/01/2010 - 13:54:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	03/01/2010 - 13:54:00	
Davis, Laurance H jr	Letter/Letter	Filing	03/02/2010 - 10:46:00	
Davis, Laurance H jr	Plaintiff's Memo in Support of Motion for Disclosure, Discove	Filing	03/05/2010 - 12:50:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	03/05/2010 - 12:50:00	
Davis, Laurance H jr	Letter/Letter	Filing	03/08/2010 - 15:05:00	
Davis, Laurance H jr	Defendant's Memo In Opposition Plt Motion for Protective Ord	Filing	03/10/2010 - 23:26:00	
Davis, Laurance H jr	Defendant's Memo in Opppsition to Motion for Disclosure	Filing	03/11/2010 - 10:57:00	
Davis, Laurance H jr	Defendant's Reply to Plaintiff's Reply to Defendant's	Filing	03/19/2010 - 15:13:00	
Davis, Laurance H jr	Notice of Motion&Motion for recusal/vacation of prior Orders	Filing	03/30/2010 - 14:40:00	
Davis, Laurance H jr	Affidavit/Affidavit of Joel D. Bailey	Filing	03/30/2010 - 14:41:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	04/05/2010 - 11:51:28	
Davis, Laurance H jr	Order/Order Granting Defentant's Two Motions for Sanctions	Order	04/08/2010 - 14:57:00	
Davis, Laurance H jr	Affidavit/Affidavit of Joel D. Bailey	Filing	04/12/2010 - 09:35:00	
Davis, Laurance H jr	Affidavit/Affidavit of Laurance H. Davls	Filing	04/12/2010 - 14:10:43	
Davis, Laurance H jr	Affidavit/Affidavit of Rhoda G Rentz	Filing	04/13/2010 - 11:39:00	
Davis, Laurance H jr	Affidavit/Affidavit of Mary Jane Pike	Filing	04/13/2010 - 11:39:00	
Davis, Laurance H jr	Affidavit/Affidavit of Miles Hodge	Filing	04/14/2010 - 11:09:00	
Davis, Laurance H jr	Letter/Letter	Filing	04/21/2010 - 12:03:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	04/26/2010 - 09:44:00	

Name	Description	Action Type	Begin Date	Completion Date
Davis, Laurance H jr	Plaintiff's Motion For Reconsideration,alter or Amend	Motion	04/26/2010 - 09:44:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	04/26/2010 - 14:42:00	
Davis, Laurance H jr	Affidavit/Affidavit of Thomas A. Pendarvis	Filing	04/27/2010 - 14:42:00	
Davis, Laurance H jr	Service/Certificate Of Service	Filing	04/27/2010 - 14:42:00	
Davis, Laurance H jr	Affidavit/Affidavit of Ellis M. Johnston II	Filing	04/29/2010 - 14:24:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	04/29/2010 - 14:25:00	
Davis, Laurance H jr	Motion/Motion to Strike	Motion	04/29/2010 - 14:25:00	
Davis, Laurance H jr	Memo/Memo in Opposition to Motion for Recusal/Vacation of	Filing	04/29/2010 - 14:25:00	
Davis, Laurance H jr	Affidavit/Affidavit of Ellis M Jonhston	Filing	04/29/2010 - 14:30:00	
Davis, Laurance H jr	Affidavit/Affidavit of Eric Hilty	Filing	04/30/2010 - 10:57:41	
Davis, Laurance H jr	Letter/Letter	Filing	05/05/2010 - 13:01:00	
Davis, Laurance H jr	Affidavit/Affidavit of Joel D. Bailey	Filing	05/07/2010 - 12:32:00	
Davis, Laurance H jr	Order/Protective Order	Order	05/13/2010 - 11:26:00	
Davis, Laurance H jr	Exhibts to Affidavit of Thomas A. Pendarvis	Filing	06/08/2010 - 10:22:00	
Davis, Laurance H jr	Affidavit/Affidavit of Ellis M. Johnston II	Filing	06/21/2010 - 15:08:00	
Davis, Laurance H jr	Defendant's Memo in Opposition to Motion for Reconsideration	Filing	06/21/2010 - 15:08:00	
Davis, Laurance H jr	Affidavit/Affidavit of Calvin T. Vick Jr	Filing	06/21/2010 - 16:15:00	
Davis, Laurance H jr	Order Plaintiff's Motion for Reconsideration Denied	Order	09/20/2010 - 15:04:00	
Davis, Laurance H jr	Order/Order	Order	10/08/2010 - 15:13:00	
Davis, Laurance H jr	Order/Order Denying Plaintiff's Motion for Protective Order.	Order	10/25/2010 - 14:17:00	
Davis, Laurance H jr	Motion/Alter or Amend Order Denying Plaintiff's Motion for	Motion	11/10/2010 - 10:40:00	
Davis, Laurance H jr	Motion/Motion Filing Fee	Amount	11/10/2010 - 10:40:00	
Davis, Laurance H jr	Letter/Letter	Filing	11/19/2010 - 11:47:00	
Davis, Laurance H jr	Memo/Memo in Opposition to Plaintiff's motion to Alter/Amend	Filing	12/02/2010 - 14:54:00	
Davis, Laurance H jr	Notice/Notice of Appeal	Filing	12/06/2010 - 14:37:00	

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and
f/k/a USS Corporation a/k/a and f/k/a
U.S. Shelter Corporation; ISTC
Corporation; N. Barton Tuck, Jr.; and
John Doe, a generic designation for a
party or parties whose true identity is
unknown,

Defendants.

CONSOLIDATED CASES:

2005-CP-07-1990 (Beaufort) (**Pinewood**)
2005-CP-07-1989 (Beaufort) (**Palmetto**)
2005-CP-10-4229 (Charleston) (**Orleans**)
2005-CP-38-1131 (Orangeburg) (**Roosevelt**)

CERTIFICATE OF SERVICE

I, Thomas A. Pendarvis, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

DOCUMENTS SERVED

1. PLAINTIFFS' MOTION TO ALTER OR AMEND

COUNSEL SERVED

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, 3rd Floor
Charleston SC 29401

EXHIBIT

H

Thomas A. Pendarvis

Thomas A. Pendarvis

Beaufort, South Carolina
December 30, 2008

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and
f/k/a USS Corporation a/k/a and f/k/a
U.S. Shelter Corporation; ISTC
Corporation; N. Barton Tuck, Jr.; and
John Doe, a generic designation for a
party or parties whose true identity is
unknown,

Defendants.

CONSOLIDATED CASES:

2005-CP-07-1990 (Beaufort) (**Pinewood**)
2005-CP-07-1989 (Beaufort) (**Palmetto**)
2005-CP-10-4229 (Charleston) (**Orleans**)
2005-CP-38-1131 (Orangeburg) (**Roosevelt**)

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

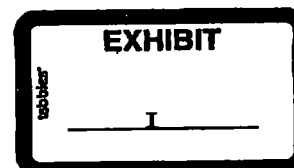
DOCUMENTS SERVED

1. PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER APPOINTING SPECIAL MASTER

COUNSEL SERVED

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, 3rd Floor
Charleston SC 29401



Jennifer A. Clark
Jennifer A. Clark

Beaufort, South Carolina
January 13, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

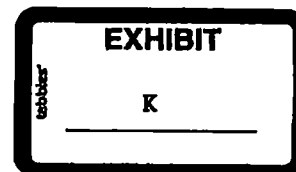
Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Beaufort County
Parkview Apartments, a South Carolina	)	C.A. No. 2003-CP-07-726
Limited Partnership, et al., Defendants.)	
Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Orangeburg County
Roosevelt Gardens, a South Carolina	)	C.A. No. 2005-CP-38-1131
Limited Partnership, et al., Defendants.)	
Rhonda G. Rentz, et al., Plaintiffs,)	
v.	)	Charleston County
Orleans Gardens, a South Carolina	)	C.A. No. 2005-CP-10-4229
Limited Partnership, et al., Defendants.)	
Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Beaufort County
Palmetto Apartments, a South Carolina	)	C.A. No. 2005-CP-07-1989
Limited Partnership, et al., Defendants.)	
Carolina Management Corporation of)	
Beaufort, et al., Plaintiffs,)	
v.	)	Beaufort County
Pinewood Park Apartments, a South	)	C.A. No. 2005-CP-07-1990
Carolina Limited Partnership, et al.,)	
Defendants.)	

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Documents Served

MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER GRANTING DEFENDANTS' MOTION TO COMPEL, DATED NOVEMBER 6, 2008



Counsel Served

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston SC 29401

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina

March 13, 2009

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Orangeburg County
Roosevelt Gardens, a South Carolina	)	CA # 2005-CP-38-1131
Limited Partnership, <i>et al</i> , Defendants.)	
Rhoda G. Rentz, <i>et al</i> , Plaintiffs,)	
-vs-	)	Charleston County
Orleans Gardens, a South Carolina	)	CA # 2005-CP-10-4229
Limited Partnership, <i>et al</i> , Defendants.)	
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Beaufort County
Palmetto Apartments, a South Carolina	)	C/A #2005-CP-07-1989
Limited Partnership, <i>et al</i> , Defendants.)	
Laurance H. Davis, Jr., <i>et al</i> , Plaintiffs,)	
-vs-	)	Beaufort County
Markview Apartments, a South Carolina	)	C/A # 03-CP-07-726
Limited Partnership, <i>et al</i> , Defendants.)	

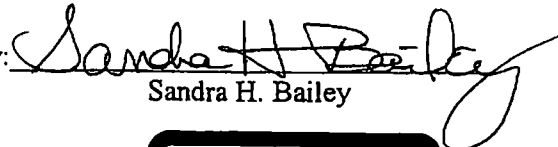
CERTIFICATE OF MAILING

I, Sandra H. Bailey, of THE BAILEY LAW FIRM, P.A., attorneys for the Plaintiffs herein, do hereby certify that on the 23rd day of March, 2009, I mailed a copy of the Plaintiffs' Motion to Alter or Amend Order Dated March 23, 2009, first class mail, postage pre-paid, the same being addressed to:

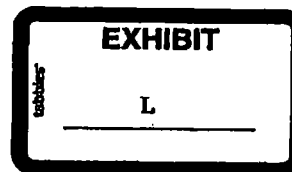
Clifford M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Calvin T. Vick, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

THE BAILEY LAW FIRM, P.A.
P.O. Box 1437
Beaufort, South Carolina 29901-1437
843-525-6090

By: 
Sandra H. Bailey

Beaufort, South Carolina
March 23, 2009



STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)
 v.) Beaufort County
 Parkview Apartments, a South Carolina) C.A. No. 2003-CP-07-726
 Limited Partnership, et al., Defendants.)

Laurance H. Davis, Jr., et al., Plaintiffs,)
 v.) Orangeburg County
 Roosevelt Gardens, a South Carolina) C.A. No. 2005-CP-38-1131
 Limited Partnership, et al., Defendants.)

Rhonda G. Rentz, et al., Plaintiffs,)
 v.) Charleston County
 Orleans Gardens, a South Carolina) C.A. No. 2005-CP-10-4229
 Limited Partnership, et al., Defendants.)

Laurance H. Davis, Jr., et al., Plaintiffs,)
 v.) Beaufort County
 Palmetto Apartments, a South Carolina) C.A. No. 2005-CP-07-1989
 Limited Partnership, et al., Defendants.)

Carolina Management Corporation of)
 Beaufort, et al., Plaintiffs,)
 v.) Beaufort County
 Pinewood Park Apartments, a South) C.A. No. 2005-CP-07-1990
 Carolina Limited Partnership, et al.,)
 Defendants.)

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Documents Served

MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER ADOPTING FINDINGS AND CONCLUSIONS OF SPECIAL MASTER CLARY, DATED JUNE 2, 2009



Counsel Served

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston SC 29401

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina

June 11, 2009

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort, Charleston, and Orangeburg Counties

Doyet A. Early, III, Circuit Court Judge

Beaufort County 03-CP-07-726
Beaufort County 05-CP-07-1989
Beaufort County 05-CP-07-1990
Charleston County 05-CP-10-4229
Orangeburg County 05-38-1131

RECEIVED
SEP 10 2009
SC Court of Appeals

Laurance H. Davls, Jr., et al. Appellants,

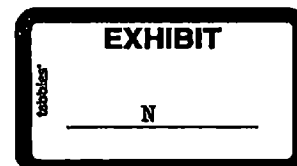
v.

Parkview Apartments, et al., Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, she served counsel for the Respondents, with a copy of the Notice of Appeal by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

C. Theodore Vick, Jr., Esquire
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
Greenville, South Carolina 29602-2048



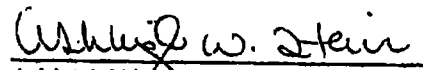
The undersigned hereby certifies she also served the Beaufort, Charleston, and Orangburg
County Clerk of Court with a copy of the Notice of Appeal by mailing a copy of the same by
United States Mail with first class postage prepaid to the following addresses:

The Honorable Jerri Roseneau
Beaufort County Clerk of Court
Post Office Drawer 1128
Beaufort, South Carolina 29901

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, #106
Charleston, South Carolina 29401

The Honorable Lisa W. Mizell
Orangeburg County Clerk of Court
Post Office Drawer 9000
Orangeburg, South Carolina 29116

September 10, 2009
Columbia, South Carolina


Ashleigh W. Hair

FORM 4

STATE OF SOUTH CAROLINA

JUDGMENT IN A CIVIL CASE

COUNTY OF BEAUFORT

CASE NO: 2003CP0700726

IN THE COURT OF COMMON PLEAS

Laurance Davis Jr vs. AIMCO

CHECK ONE:

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other:
ACTION STRICKEN (CHECK REASON): Rule 40(j) SCRPC; Bankruptcy:
Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other:
DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):

Table with 4 columns: Affirmed, Reversed, Remeanded, Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: [X] See attached order; (Formal order to follow) [] Statement of Judgment by the Court:

Order Granting Defendants' Two Motions For Sanctions, Finding Plaintiffs In Contempt Of Court, & Dismissing The Above Captioned Actions As Sanctions For Plaintiffs' Contempt

Dated at Beaufort, South Carolina, this 6th day of April, 2010.

Court Reporter: s/ D. A. Early, III

PRESIDING JUDGE - Doyet A Early, III

This judgment was entered on the 9th day of April, 2010, and a copy mailed first class this 12th day of April, 2010. to attorneys of record or to parties (when appearing pro se) as follows:

Joel D Bailey
Thomas A. Pendarvis

Ellis M Johnston II
Calvin T Vick Jr.

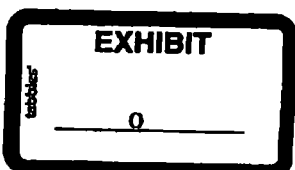
ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Melissa Kilby

SCRPC APP-24/FORM 4

Handwritten notes and signatures: 4/16/10, Melissa Kilby, Jegri Ann Roseneau - Clerk of Court



FORM 4

STATE OF SOUTH CAROLINA

JUDGMENT IN A CIVIL CASE

COUNTY OF BEAUFORT

CASE NO: 2005CP0701989

IN THE COURT OF COMMON PLEAS

Laurance H Davis Jr vs. Palmetto Apartments A Sc Limit

CHECK ONE:

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):
 - Rule 12(b), SCRPC;
 - Rule 41(a),
 - Rule 43(k), SCRPC (Settled);
 - Other:
- ACTION STRICKEN (CHECK REASON):
 - Rule 40(j) SCRPC;
 - Bankruptcy:
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 - Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):

<input type="checkbox"/> Affirmed;	<input type="checkbox"/> Reversed;	<input type="checkbox"/> Remanded;	<input type="checkbox"/> Other;
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NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (Formal order to follow) Statement of Judgment by the Court:

Order Granting Defendants' Two Motions For Sanctions, Finding Plaintiffs In Contempt Of Court, & Dismissing The Above Captioned Actions As Sanctions For Plaintiffs' Contempt

Dated at Beaufort, South Carolina, this 6th day of April, 2010.

Court Reporter:

s/ D. A. Early, III

PRESIDING JUDGE - Doyet A. Early, III

This judgment was entered on the 9th day of April, 2010, and a copy mailed first class this 12th day of April, 2010, to attorneys of record or to parties (when appearing pro se) as follows:

Joel D Bailey
Thomas A. Pendarvis

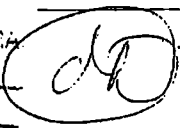
Ellis M Johnston II
Calvin T Vick Jr.

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Melissa Kilby

SCRPC APP-24/FORM 4

Haywood County, South Carolina, SC
 Date Filed: 4/16/10
 Clerk: 
 Docketed: _____
 ID: _____

Jerri Ann Roseneau - Clerk of Court

CPFORM4M

FORM 4

STATE OF SOUTH CAROLINA

JUDGMENT IN A CIVIL CASE

COUNTY OF BEAUFORT

CASE NO: 2005CP0701990

IN THE COURT OF COMMON PLEAS

Carolina Management Corporatio vs. Pinewood Park Apartments A Sc

CHECK ONE:

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other:
ACTION STRICKEN (CHECK REASON): Rule 40(j) SCRPC; Bankruptcy:
Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other:
DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):

Table with 4 columns: Affirmed, Reversed, Remeanded, Other.

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: [X] See attached order; (Formal order to follow) [] Statement of Judgment by the Court:

Order Granting Defendants' Two Motions For Sanctions, Finding Plaintiffs In Contempt of Court, & Dismissing The Above Captioned Actions As Sanctions For Plaintiffs' Contempt

Dated at Beaufort, South Carolina, this 6th day of April, 2010.

Court Reporter: s/ D. A. Early, III

PRESIDING JUDGE - Doyet A. Early, III

This judgment was entered on the 9th day of April, 2010, and a copy mailed first class this 12th day of April, 2010, to attorneys of record or to parties (when appearing pro se) as follows:

Joel D Bailey
Thomas A Pendarvis

Calvin T Jr Vick
Ellis M Johnston II

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Melissa Kilby

SCRPC APP-24/FORM 4

Handwritten notes and signature: Date Filed 4/16/10, C/R #, Doctored, ID#

Jerri Ann Roseneau - Clerk of Court

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A # 03-CP-07-726

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Roosevelt Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Orangeburg County
CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)
-vs-)
Orleans Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Charleston County
CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Palmetto Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A #2005-CP-07-1989

Carolina Management Corporation of)
Beaufort, *et al*, Plaintiffs,)
-vs-)
Pinewood Park Apartments, a South)
Carolina Limited Partnership, *et al*,)
Defendants.)

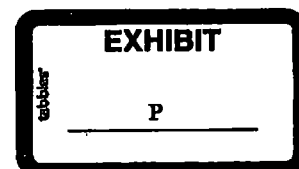
Beaufort County
C/A # 2005-CP-07-1990

CERTIFICATE OF MAILING

I hereby certify that I have served the Plaintiffs' Motion for Reconsideration, Alteration or Amendment, by depositing a copy in the United States Mail, postage prepaid, on April 22, 2010, addressed to the following attorneys of record:

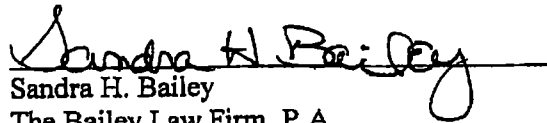
Ellis M. Johnston, II
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger
134 Meeting Street, 3rd Floor
Charleston, SC 29401



Calvin T. Vick
PO Box 2048
Greenville, SC 29602

Anne Ross Rosen
134 Meeting Street, 3rd Floor
Charleston, SC 29401

A handwritten signature in black ink that reads "Sandra H. Bailey". The signature is written in a cursive style and is positioned above a horizontal line.

Sandra H. Bailey
The Bailey Law Firm, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437

April 21, 2010

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-10-4229

Rhoda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and Joanne O. Mercy, individually and in their capacities as the Limited Partners of Orleans Gardens, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Orleans Gardens, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

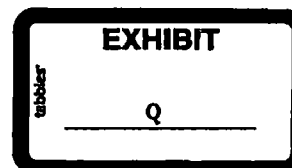
Marvin D. Infinger, JD
Anne Ross Rosen, JD
Haynsworth Sinkler Boyd, PA
134 Meeting St., 3rd Floor
Charleston SC 29401

Documents Served: PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLAINTIFFS' MOTION FOR RECUSAL

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
October 28, 2010



STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-10-4229

Rhoda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and Joanne O. Mercy, individually and in their capacities as the Limited Partners of Orleans Gardens, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Orleans Gardens, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
Haynsworth Sinkler Boyd, PA
134 Meeting St., 3rd Floor
Charleston SC 29401

Documents Served: PLAINTIFFS' AMENDED AND SUPPLEMENTAL MOTION TO ALTER OR AMEND ORDER DENYING PLAINTIFFS' MOTION FOR RECUSAL

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
November 8, 2010



STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-10-4229

Rhoda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and Joanne O. Mercy, individually and in their capacities as the Limited Partners of Orleans Gardens, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Orleans Gardens, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
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Greenville SC 29602

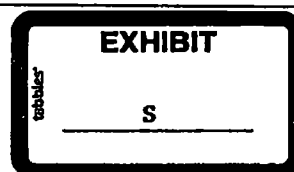
Marvin D. Infinger, JD
Anne Ross Rosen, JD
Haynsworth Sinkler Boyd, PA
134 Meeting St., 3rd Floor
Charleston SC 29401

Documents Served: PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLAINTIFFS' MOTION FOR PROTECTIVE ORDER

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
November 8, 2010



STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1989

Lawrence H. Davis, Jr.; Marvin D. McCarthy; James W. Ivey; and Erin E. Ivey, individually and in their capacities as the Limited Partners of Palmetto Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Palmetto Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
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Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
Haynsworth Sinkler Boyd, PA
134 Meeting St., 3rd Floor
Charleston SC 29401

Documents Served: PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLAINTIFFS' MOTION FOR PROTECTIVE ORDER

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
November 8, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2003-CP-07-0726

Laurance H. Davis, Jr.; Mary Jane R. Pike; Eva Marie Reynolds; and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Parkview Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
Haynsworth Sinkler Boyd, PA
134 Meeting St., 3rd Floor
Charleston SC 29401

Documents Served: PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLAINTIFFS' MOTION FOR PROTECTIVE ORDER

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
November 8, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

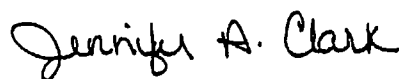
CERTIFICATE OF SERVICE

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Ellis M. Johnston, II, JD
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Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
Haynsworth Sinkler Boyd, PA
134 Meeting St., 3rd Floor
Charleston SC 29401

Documents Served: PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLAINTIFFS' MOTION FOR PROTECTIVE ORDER



Jennifer A. Clark

Beaufort, South Carolina
November 8, 2010

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT
CASE NO. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhoda G. Rentz,
Mortimer M. Weinberg, Jr., Hodge Land
Co., Inc. And Anna Trotter, individually
and in their capacities as the Limited
Partners of Roosevelt Gardens, a South
Carolina Limited Partnership;

Plaintiffs,

vs.

Roosevelt Gardens, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and f/k/a
USS Corporation a/k/a and f/k/a U.S.
Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a
generic designation for a party or parties
whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
Haynsworth Sinkler Boyd, PA
134 Meeting St., 3rd Floor
Charleston SC 29401

Documents Served: PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER DENYING PLAINTIFFS' MOTION FOR PROTECTIVE ORDER

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
November 8, 2010

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-10-4229

Rhoda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and
Joanne O. Mercy, individually and in their capacities as the
Limited Partners of Orleans Gardens, a South Carolina
Limited Partnership. Appellants,

vs.

Orleans Gardens, a South Carolina Limited Partnership;
Apartment Investment and Management Company a/k/a
AIMCO; Insignia Financial Group, Inc.; AmReal Corporation
a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter
Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John
Doe, a generic designation for a party or parties whose true
identity is unknown Respondents.

PROOF OF SERVICE

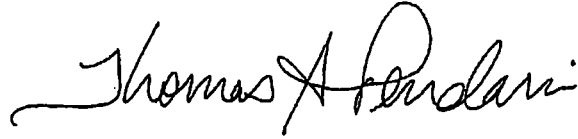
I, Thomas A. Pendarvis, an attorney with PENDARVIS LAW OFFICES, P.C., certify that
I have served one (1) copy of NOTICE OF APPEAL on counsel for Respondents, by depositing
a copy of the same in the United States Mail, postage prepaid, on the 28th day of October,
2010 addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger, J.D.
Ann Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston, SC 29401



PENDARVIS LAW OFFICES, P.C.

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is written in a cursive style with a horizontal line underneath the name.

Thomas A. Pendarvis (SC Bar # 064918)
500 Carteret St., Suite A
Beaufort, SC 29902-5066
(843) 524.9500 tel.
(843) 524.9501 fax.
Thomas@PendarvisLaw.com

October 28, 2010

Beaufort, SC 29902

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-10-4229

Rhoda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and
Joanne O. Mercy, individually and in their capacities as the
Limited Partners of Orleans Gardens, a South Carolina
Limited Partnership. Appellants,

vs.

Orleans Gardens, a South Carolina Limited Partnership;
Apartment Investment and Management Company a/k/a
AIMCO; Insignia Financial Group, Inc.; AmReal Corporation
a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter
Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John
Doe, a generic designation for a party or parties whose true
identity is unknown Respondents.

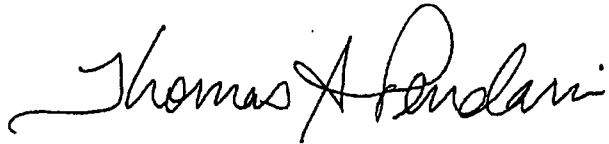
PROOF OF SERVICE

I, Thomas A. Pendarvis, an attorney with PENDARVIS LAW OFFICES, P.C., certify that
I have served one (1) copy of the AMENDED NOTICE OF APPEAL on counsel for Respondents,
by depositing a copy of the same in the United States Mail, postage prepaid, on the 8th day
of November, 2010 addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger, J.D.
Ann Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston, SC 29401

PENDARVIS LAW OFFICES, P.C.

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is written in a cursive style with a large, looped initial "T".

Thomas A. Pendarvis (SC Bar # 064918)
500 Carteret St., Suite A
Beaufort, SC 29902-5066
(843) 524.9500 tel.
(843) 524.9501 fax.
Thomas@PendarvisLaw.com

November 8, 2010

Beaufort, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

PROOF OF SERVICE

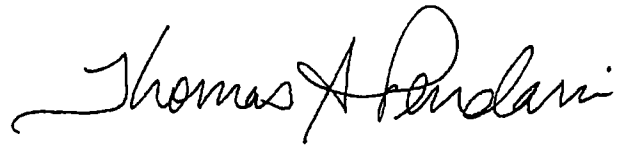
I, Thomas A. Pendarvis, an attorney with PENDARVIS LAW OFFICES, P.C., certify that I have served one (1) copy of NOTICE OF APPEAL on counsel for Respondents, by depositing a copy of the same in the United States Mail, postage prepaid, on the 3rd day of December, 2010 addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger, J.D.
Ann Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston, SC 29401



PENDARVIS LAW OFFICES, P.C.

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Thomas A. Pendarvis (SC Bar # 064918)
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Beaufort, SC 29902-5066
(843) 524.9500 tel.
(843) 524.9501 fax.
Thomas@PendarvisLaw.com

December 3, 2010

Beaufort, SC 29902

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2003-CP-07-726

Laurance H. Davis, Jr., Mary Jane R. Pike, Eva Marie Reynolds and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Parkview Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Parkview Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

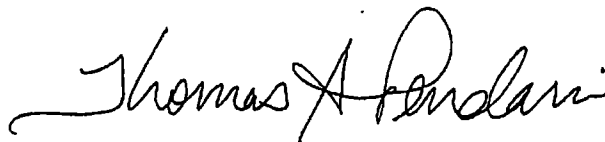
PROOF OF SERVICE

I, Thomas A. Pendarvis, an attorney with PENDARVIS LAW OFFICES, P.C., certify that I have served one (1) copy of NOTICE OF APPEAL on counsel for Respondents, by depositing a copy of the same in the United States Mail, postage prepaid, on the 3rd day of December, 2010 addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
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December 3, 2010

Beaufort, SC 29902

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1989

Laurance H. Davis, Jr., Marvin D. McCarthy, James W. Ivey
and Erin E. Ivey, individually and in their capacities as the
Limited Partners of Palmetto Apartments, a South Carolina
Limited Partnership. Appellants,

vs.

Palmetto Apartments, a South Carolina Limited Partnership;
Apartment Investment and Management Company a/k/a
AIMCO; Insignia Financial Group, Inc.; AmReal Corporation
a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter
Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John
Doe, a generic designation for a party or parties whose true
identity is unknown Respondents.

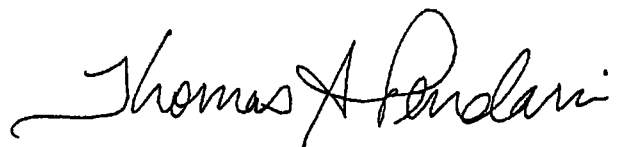
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Charleston, SC 29401

PENDARVIS LAW OFFICES, P.C.

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(843) 524.9501 fax.
Thomas@PendarvisLaw.com

December 3, 2010

Beaufort, SC 29902

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhoda G. entz, Mortimer M. Weinberg, Jr.,
Hodge Land Co., Inc. and Anna Trotter, individually and in their
capacities as the Limited Partners of Roosevelt Gardens, a South
Carolina Limited Partnership. Appellants,

vs.

Roosevelt Gardens, a South Carolina Limited Partnership;
Apartment Investment and Management Company a/k/a
AIMCO; Insignia Financial Group, Inc.; AmReal Corporation
a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter
Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John
Doe, a generic designation for a party or parties whose true
identity is unknown Respondents.

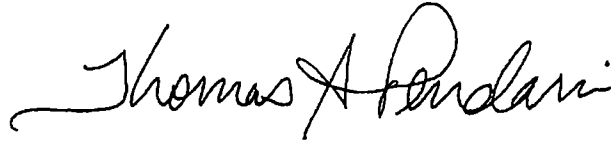
PROOF OF SERVICE

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2010 addressed to:

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Ann Ross Rosen, J.D.
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134 Meeting Street, 3rd Floor
Charleston, SC 29401

PENDARVIS LAW OFFICES, P.C.

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is fluid and cursive, with the first name "Thomas" and last name "Pendarvis" clearly legible.

Thomas A. Pendarvis (SC Bar # 064918)
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(843) 524.9500 tel.
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December 3, 2010

Beaufort, SC 29902

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO 2003-CP-07-0726

CONSOLIDATED CASES

2005-CP-07-1990 (Beaufort)
2005-CP-07-1989 (Beaufort)
2005-CP-10-4229 (Charleston)
2005-CP-38-1131 (Orangeburg)

Carolina Management Corporation of Beaufort, James B Jackson, Whaley R Hinnant, Jr, Mary Gasser Rawl, and Rhoda G Rentz, individually and in their capacities as the Limited Partners of Parkview Apartments, a South Carolina Limited Partnership,

Plaintiffs,

vs

Parkview Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc, AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U S Shelter Corporation, ISTC Corporation, N BartonTuck, Jr, and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants

2006 SEP -5 PM 2: 12
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

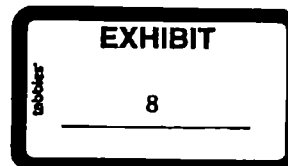
TO ELLIS M JOHNSTON, II, J D, JESSE C BELCHER, J D, AND CALVIN T VICK, J D, ATTORNEYS FOR DEFENDANTS

PLAINTIFFS' COMBINED MEMORANDUM OF LAW IN OPPOSITION TO

**DEFENDANTS' MOTIONS TO DISMISS
COUNTS 1 THROUGH 7**

AND

**DEFENDANTS' MOTIONS TO DISMISS FOR IMPROPER VENUE
PURSUANT TO SCRCP 12(B)(3), OR IN THE ALTERNATIVE, TO S.C.
CODE ANN. § 15-7-30 AND § 15-7-100**



business" provisions in the amended venue statute apply to any of the limited partnerships at issue in these consolidated cases. The express terms of the limited partnership agreement control, venue is proper Beaufort County. Defendants motion to change venue should be denied.

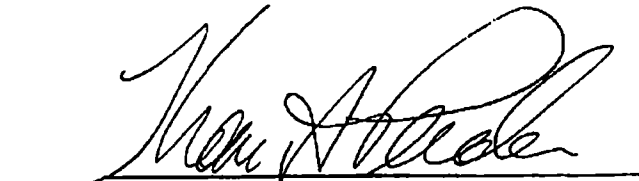
CONCLUSION

Defendants' motions to dismiss and motions to change venue should be denied, and this matter should proceed to trial on the merits in the same venue required by all of the limited partnership agreements.

Respectfully submitted,

Joel D Bailey
THE BAILEY LAW FIRM, P A
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843 525 6070 Fax
baileylawfirm@charter.net

PENDARVIS LAW OFFICES, P C



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843 524 9500 Tel
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Attorneys for Plaintiffs

Beaufort, South Carolina

August 25, 2006

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO 05-CP-10-4229

Rhonda G Rentz, Mary Jane Pike, Eva
Mane Reynolds, and Joanne O Mercy,
individually and in their capacities as the
Limited Partners of Orleans Gardens, a
South Carolina Limited Partnership,

Plaintiffs,

vs

Orleans Gardens, a South Carolina
Limited Partnership, Apartment
Investment and Management Company
a/k/a AIMCO, Insignia Financial Group,
Inc , AmReal Corporation a/k/a and f/k/a
USS Corporation a/k/a and f/k/a U.S
Shelter Corporation, ISTC Corporation,
N BartonTuck, Jr , and John Doe, a
genenc designation for a party or parties
whose true identity is unknown,

Defendants

CERTIFICATE OF SERVICE

2006 SEP -5 PM 2: 12
JULIE J. ARMSTRONG
CLERK OF COURT

FILED

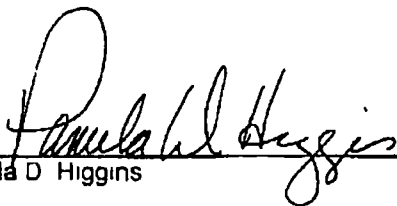
I, Pamela D Higgins, paralegal for Pendarvis Law Offices, P C hereby certify that
I have served the documents listed below upon all counsel of record by e-mail, telecopier
and mailing a copy of same, postage prepaid and return address clearly indicated on said
envelope, to said counsel at the following address

COUNSEL SERVED

Ellis M Johnston, II, J D
Calvin T Vick, Jr, J D
Haynsworth Sinkler Boyd, P A
P O Box 2048
Greenville SC 29602

DOCUMENTS SERVED

- 1 PLAINIFFS' COMBINED MEMORANDUM OF LAW IN OPPOSITION TO
DEFENDANTS' MOTIONS TO DISMISS COUNTS 1 THROUGH 7
AND DEFENDANTS' MOTIONS TO DISMISS FOR IMPROPER VENUE PURSUANT TO
SCRPC 12(b)(3), OR IN THE ALTERNATIVE, TO S C CODE ANN. § 15-7-30 AND
§ 15-7-100, AND
- 2 CERTIFICATE OF SERVICE



Pamela D Higgins

Beaufort, South Carolina

August 25, 2006

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort, Charleston, and Orangeburg Counties

Doyet A. Early, III, Circuit Court Judge

Beaufort County 03-CP-07-726
Beaufort County 05-CP-07-1989
Beaufort County 05-CP-07-1990
Charleston County 05-CP-10-4229
Orangeburg County 05-38-1131

RECEIVED
SEP 10 2009
SC Court of Appeals

Laurance H. Davis, Jr., et al., Appellants,

v.

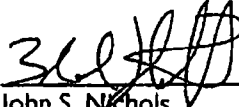
Parkview Apartments, et al., Respondents.

NOTICE OF APPEAL

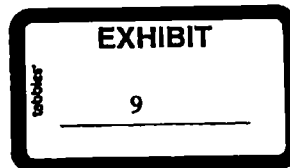
The plaintiffs in these consolidated cases appeal the order of the Honorable Doyet A. Early, III, dated July 28, 2009. The plaintiffs below, who are the Appellants in this action, received written notice of the entry of the order August 14, 2009.

Respectfully submitted,

September 10, 2009



John S. Nichols
Blake A. Hewitt
BLUESTEIN, NICHOLS,
THOMPSON & DELGADO, LLC
Post Office Box 7965
Columbia, South Carolina 29202
(803) 779-7599
(803) 779-8995 (facsimile)



jsnichols@bntdlaw.com
bhewitt@bntdlaw.com
(Appellate counsel for Appellants)

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(Trial counsel for Appellants)

Other counsel of record

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Calvin T. "Ted" Vick, Jr.
Haynsworth Sinkler Boyd, P.A.
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(864) 240-3324
(864) 240-3336 (facsimile)
ejohnston@hsblawfirm.com
tvick@hsblawfirm.com

(Counsel for Respondents)

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort, Charleston, and Orangeburg Counties

Doyet A. Early, III, Circuit Court Judge

Beaufort County 03-CP-07-726
Beaufort County 05-CP-07-1989
Beaufort County 05-CP-07-1990
Charleston County 05-CP-10-4229
Orangeburg County 05-38-1131

RECEIVED
SEP 10 2009
SC Court of Appeals

Laurance H. Davis, Jr., et al. Appellants,

v.

Parkview Apartments, et al., Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, she served counsel for the Respondents, with a copy of the Notice of Appeal by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

C. Theodore Vick, Jr., Esquire
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
Greenville, South Carolina 29602-2048


The undersigned hereby certifies she also served the Beaufort, Charleston, and Orangeburg County Clerk of Court with a copy of the Notice of Appeal by mailing a copy of the same by United States Mail with first class postage prepaid to the following addresses:

The Honorable Jerri Roseneau
Beaufort County Clerk of Court
Post Office Drawer 1128
Beaufort, South Carolina 29901

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, #106
Charleston, South Carolina 29401

The Honorable Lisa W. Mizell
Orangeburg County Clerk of Court
Post Office Drawer 9000
Orangeburg, South Carolina 29116

September 10, 2009
Columbia, South Carolina


Ashleigh W. Hair

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhoda G. Rentz, Mortimer M. Weinberg, Jr., Hodge Land Co., Inc. and Anna Trotter, individually and in their capacities as the Limited Partners of Roosevelt Gardens, a South Carolina Limited Partnership. Appellants,

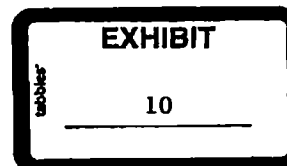
vs.

Roosevelt Gardens, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

AMENDED NOTICE OF APPEAL

Appellants Laurance H. Davis, Jr., Rhoda G. Rentz, Mortimer M. Weinberg, Jr., Hodge Land Co., Inc. and Anna Trotter appeal the following orders:

1. ORDER denying Plaintiffs' motion to compel #6, dated August 18, 2008, a copy of which is attached as Exhibit 1.
2. ORDER DENYING PLAINTIFFS' MOTION TO COMPEL #2, dated December 17, 2008, a copy of which is attached as Exhibit 2.
3. ORDER GRANTING DEFENDANTS' MOTION TO COMPEL, DATED NOVEMBER 6, 2008,



- dated March 3, 2009, a copy of which is attached as Exhibit 3.
4. ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' MOTION TO COMPEL, DATED JULY 29, 2005, dated March 3, 2009, a copy of which is attached as Exhibit 4.
 5. ORDER ADOPTING FINDINGS AND CONCLUSIONS OF SPECIAL MASTER CLARY, dated June 2, 2009, a copy of which is attached as Exhibit 5.
 6. ORDER DENYING PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER GRANTING DEFENDANTS' MOTION TO COMPEL DATED NOVEMBER 6, 2008, dated June 16, 2009, a copy of which is attached as Exhibit 6.
 7. ORDER AMENDING COURT'S ORDER DATED JUNE 2, 2009, dated July 28, 2009, a copy of which is attached as Exhibit 7.
 8. ORDER GRANTING DEFENDANTS' TWO MOTIONS FOR SANCTIONS, FINDING PLAINTIFFS IN CONTEMPT OR COURT, AND DISMISSING THE ABOVE-CAPTIONED ACTIONS AS SANCTIONS FOR PLAINTIFFS' CONTEMPT, dated April 6, 2010, a copy of which is attached as Exhibit 8.
 9. ORDER denying Plaintiffs' motion for reconsideration, dated September 16, 2010, filed on September 20, 2010, and receipt of written notice of entry of which was received by Counsel for Appellants on October 1, 2010, a copy of which is attached as Exhibit 9.
 10. ORDER appointing the Honorable Doyet A. Early, III to hear and decide all matters pertaining to these cases, dated March 7, 2006, issued by Chief Justice Jean Hofer Toal, a copy of which is attached as Exhibit 10.
 11. ORDER denying Plaintiffs' motion for recusal, dated October 7, 2010.

Although Appellants have not received written notice of entry of this Order, it is included with this Amended Notice of Appeal in an abundance of caution, a copy of this Order filed in another matter is attached as Exhibit 11.

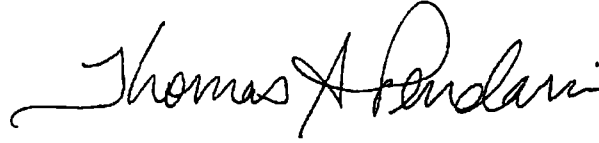
12. ORDER denying Plaintiffs' motion for protective order (issued by the Honorable Doyet A. Early, III), dated October 22, 2010, filed on October 25, 2010, and receipt of written notice of entry of which was received by Counsel for Appellants on November 8, 2010, a copy of which is attached as Exhibit 12.
13. ORDER denying Plaintiffs' motion to alter or amend order denying Plaintiffs' motion for protective order and the Order denying Plaintiffs' motion for recusal, dated December 11, 2010. Although Appellants have not received written notice of entry of this Order, it is included with this Amended Notice of Appeal in an abundance of caution, a copy of this Order filed in another matter is attached as Exhibit 13.

The above Orders, except for Exhibit 10, were issued by the Honorable Doyet A. Early, III.

Respectfully submitted,

Joel D. Bailey
THE BAILEY LAW FIRM, P.A.
PO Box 1437
Beaufort, SC 29901-1437
(843) 525-6090 tele
(843) 525-6070 fax
baileylawfirm@charter.net

PENDARVIS LAW OFFICES, P.C.



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843.524.9500 tel
843.524.9501 fax
Thomas@PendarvisLaw.com

Counsel for Appellants

January 28, 2011

Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
Calvin T. Vick, J.D.
Jesse C. Belcher, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, 3rd Floor
Charleston SC 29401



RECEIVED DEC 1 2010

State of South Carolina
The Circuit Court of the Second Judicial Circuit

Doyet A. Early, III
Judge

Post Office Box 80
Bamberg, SC 29003
Phone: (803) 245-4004
Fax: (803) 245-2983
dearly@sccourts.org

September 16, 2010

The Honorable Winnifa Brown-Clark
Post Office Box 9000
Orangeburg, South Carolina 29115

Re: Laurance H. Davis, Jr. et al v. Roosevelt Gardens, 05-CP-38-1131

Dear Ms. Clark:

Please find enclosed for filing my order in the above case. Please file and serve all interested parties.

Sincerely,

DA Early III
D. A. Early, III

DAE:khc
Enclosure

cc: Joel Bailey, Esquire
Ellis Johnston, Esquire
Thomas Pendarvis, Esquire

SEP 20 12 26 PM
T

EXHIBIT
9

ATTEST: TRUE COPY
Winnifa B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Parkview Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Beaufort County
C.A. No. 2003-CP-07-726

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Roosevelt Gardens, a South Carolina
Limited Partnership, *et al.*, Defendants.

Orangeburg County
C.A. No. 2005-CP-38-1131

Rhonda G. Rentz, *et al.*, Plaintiffs,
v.
Orleans Gardens, a South Carolina
Limited Partnership, *et al.*, Defendants.

Charleston County
C.A. No. 2005-CP-10-4229

Laurance H. Davis, Jr., *et al.*, Plaintiffs,
v.
Palmetto Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Beaufort County
C.A. No. 2005-CP-07-1989

Carolina Management Corporation of
Beaufort, *et al.*, Plaintiffs,
v.
Pinewood Park Apartments, a South Carolina
Limited Partnership, *et al.*, Defendants.

Beaufort County
C.A. No. 2005-CP-07-1990

ORDER

2009 APR 20 10 51 AM

Plaintiffs have filed a motion seeking reconsideration of this court's order dated April 6, 2010, pursuant to Rule 59, SCRPC. The order was signed after Plaintiffs repeatedly failed to comply with orders dealing with discovery dated March 3, 2009 and July 28, 2009. Each of those orders have resulted from numerous hearings, motions, memoranda, arguments and rulings, including rulings denying Plaintiffs Rule 59/60 motions seeking reconsideration of these orders.

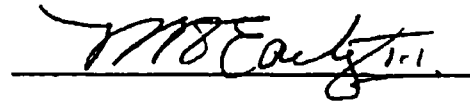
JAE
#1

ATTEST: TRUE COPY
Winnifred B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

The court has carefully reconsidered all of Plaintiff's arguments in support of their motion, revisited all prior orders and the cases, memoranda and exhibits presented at each hearing; the court is still of the opinion that the previous orders were a correct application of the law to this factual matter.

Therefore Plaintiff's motion is DENIED.

IT IS SO ORDERED.



The Honorable Doyet A. Early, III

Sept. 16, 2010
Beaufort, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhoda G. Rentz, Mortimer M. Weinberg, Jr.,
Hodge Land Co., Inc. and Anna Trotter, individually and in their
capacities as the Limited Partners of Roosevelt Gardens, a South
Carolina Limited Partnership. Appellants,

vs.

Roosevelt Gardens, a South Carolina Limited Partnership;
Apartment Investment and Management Company a/k/a
AIMCO; Insignia Financial Group, Inc.; AmReal Corporation
a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter
Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John
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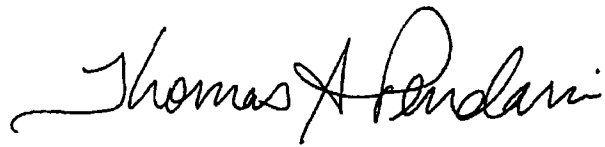
PROOF OF SERVICE

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I have served one (1) copy of AMENDED NOTICE OF APPEAL on counsel for Respondents, by
depositing a copy of the same in the United States Mail, postage prepaid, on the 28th day
of January, 2011 addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger, J.D.
Ann Ross Rosen, J.D.
NEXSEN PRUET, PA
PO Box 486
Charleston, SC 29402

PENDARVIS LAW OFFICES, P.C.

A handwritten signature in black ink that reads "Thomas A. Pendarvis". The signature is written in a cursive style with a large, looping initial 'T'.

Thomas A. Pendarvis (SC Bar # 064918)
500 Carteret St., Suite A
Beaufort, SC 29902-5066
(843) 524.9500 tel.
(843) 524.9501 fax.
Thomas@PendarvisLaw.com

January 28, 2011

Beaufort, SC 29902

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs)
v.)
Parkview Apartments, a South Carolina Limited)
Partnership, et al., Defendants.)

Beaufort County
C/A # 03-CP-07-726

Laurance H. Davis, Jr., et al., Plaintiffs)
v.)
Roosevelt Gardens, a South Carolina Limited)
Partnership, et al., Defendants.)

Orangeburg County
C/A # 05-CP-38-1131

Rhoda G. Rentz, et al., Plaintiffs)
v.)
Orleans Gardens, a South Carolina Limited)
Partnership, et al., Defendants.)

Charleston County
C/A # 05-CP-10-4229

Laurance H. Davis, Jr., et al., Plaintiffs)
v.)
Palmetto Apartments, a South Carolina Limited)
Partnership, et al., Defendants.)

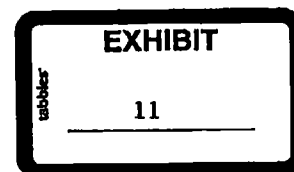
Beaufort County
C/A # 05-CP-07-1989

Carolina Management Corporation of Beaufort,)
et al., Plaintiffs)
v.)
Pinewood Park Apartments, a South Carolina)
Limited Partnership, et al., Defendants.)

Beaufort County
C/A # 05-CP-07-1990

NOTICE OF MOTION AND MOTION FOR RECONSIDERATION,
ALTERATION OR AMENDMENT

TO: ELLIS M. JOHNSTON, II, CALVIN T. VICK, MARVIN INFINGER AND ANNE
ROSS ROSEN, AND THE DEFENDANTS ABOVE-NAMED



YOU WILL PLEASE TAKE NOTICE that the undersigned, as counsel for the Plaintiffs in the above-captioned matters, will and hereby does move, pursuant to S.C.R.C.P. 59, for an Order of this Court granting relief as hereinafter set forth from the Order Granting Defendants' Two Motions For Sanctions, Finding Plaintiffs in Contempt of Court, and Dismissing the Above-Captioned Actions as Sanctions for Plaintiffs' Contempt, said Order being dated the 6th day of April, 2010 and filed in the Office of the Clerk of Court for Beaufort County on April 9, 2010. The undersigned first received a signed copy and notice of the entry of this Order by the Beaufort County Clerk of Court *via* e-mail from Ellis M. Johnston, II dated April 13, 2010. The undersigned subsequently received a signed copy of the Order and notice of the entry of this Order by the Beaufort County Clerk of Court *via* U.S. mail from Ellis M. Johnston, II on April 15, 2010.

This motion is subject to and not in waiver of the Plaintiffs' pending Motion for Recusal and Vacation of Orders and Motion for Protective Order; Plaintiffs specifically reserve all positions or objections stated in any prior motions or submissions concerning the qualification of Judge Doyet A. Early III to issue rulings or preside over proceedings in these cases, and that his participation in this litigation is prohibited by the Canons of Judicial Ethics and the existing laws and constitutions of this state and of the United States of America.

The grounds for this motion are hereinafter set forth in this document, as well as in any affidavits submitted in support hereof, including but not limited to any affidavit filed with this motion; in that regard, an affidavit of Thomas Pendarvis, Esquire, co-counsel for the Plaintiffs, is being submitted under separate cover due to the volume of its contents and attachments. The contents of that affidavit are hereby incorporated by reference herein as additional grounds for this motion, and it is deemed to be an affidavit submitted herewith in support of this motion as fully and

completely as if the affidavit physically accompanied this motion. The Plaintiffs further assert that the grounds for this motion are also contained in any transcripts of proceedings held in this or any related matter; any depositions or other discovery conducted in this litigation; any rulings and orders issued in this litigation; any memoranda of law submitted in this litigation; and/or any related motions, correspondence, e-mails, or other relevant documents which have been submitted, produced or identified in this litigation.

For the reasons hereinafter set forth, the Plaintiffs seek relief from the said Order in the following particulars:

A. The Plaintiffs seek reconsideration and vacation of the said Order in its entirety, on the basis that (a) it is primarily based upon Plaintiffs' failure to comply with a prior Order of Judge Early which modified and/or eliminated the rulings of the Special Master appointed in this litigation, and that such prior Order exceeded the jurisdiction of the trial judge under S.C.R.C.P. 53; (b) it is tainted in its entirety due to the bias and prejudice of the issuing judge, as demonstrated herein and in the Plaintiffs' pending Motion for Recusal and Vacation of Orders; (c) it is based upon erroneous, misleading and inaccurate findings of fact outside the evidence; (d) it is based upon errors and misapplications of existing law; (e) it is the product of at least one *ex parte* communication between Judge Early and Defendants' counsel, Calvin T. Vick, which is specifically prohibited under the law of this state.

B. The Plaintiffs alternatively seek reconsideration, alteration and/or amendment of the factual findings set forth in the said Order on the ground that they are not accurate, are incomplete, are outside the evidence presented and/or present a biased and unfair representation of the acts or conduct referenced therein, including, *inter alia*, the following particulars:

Respectfully submitted,

THE BAILEY LAW FIRM, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort SC 29901-1437
843.525.6090 Tel.
843.525.6070 Fax.
baileylawfirm@charter.net

Thomas A. Pendarvis, J.D. (SC Bar # 064918)
PENDARVIS LAW OFFICES, P.C.
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Beaufort SC 29902-5066
843.524.9500 Tel.
843.524.9501 Fax.
Thomas@PendarvisLaw.com

Attorneys for the Plaintiffs

By: 
Joel D. Bailey (SC Bar # 471)

Beaufort, South Carolina
April ____, 2010

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A # 03-CP-07-726

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Roosevelt Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Orangeburg County
CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)
-vs-)
Orleans Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Charleston County
CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Palmetto Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A #2005-CP-07-1989

Carolina Management Corporation of)
Beaufort, *et al*, Plaintiffs,)
-vs-)
Pinewood Park Apartments, a South)
Carolina Limited Partnership, *et al*,)
Defendants.)

Beaufort County
C/A # 2005-CP-07-1990

CERTIFICATE OF MAILING

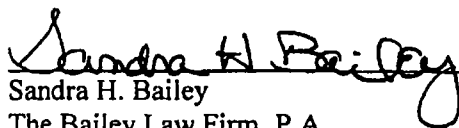
I hereby certify that I have served the Plaintiffs' Motion for Reconsideration, Alteration or Amendment, by depositing a copy in the United States Mail, postage prepaid, on April 22, 2010, addressed to the following attorneys of record:

Ellis M. Johnston, II
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Calvin T. Vick
PO Box 2048
Greenville, SC 29602

Anne Ross Rosen
134 Meeting Street, 3rd Floor
Charleston, SC 29401

A handwritten signature in black ink that reads "Sandra H. Bailey". The signature is written in a cursive style and is positioned above a horizontal line.

Sandra H. Bailey
The Bailey Law Firm, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437

April 21, 2010



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION
510 RIBAUT ROAD

POST OFFICE BOX 1457 • BEAUFORT, SOUTH CAROLINA 29901-1457

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 845-525-6090
FAX: 845-525-6070

September 27, 2010
VIA U.S. MAIL and EMAIL

Honorable Doyer A. Early, III
Post Office Box 90
Bamberg, South Carolina 29003-0090

Re: Davis, et al. vs. Parkview Apartments Limited Partnership, et al. (C/A # 03-CP-07-726)
Rentz, et al. vs. Orleans Gardens, et al. (C/A # 05-CP-10-4229)
Davis, et al. vs. Palmetto Apartments, et al. (C/A # 05-CP-07-1989)
Carolina Management Corporation, et al. vs. Pinewood Park Apartments, et al.
(C/A # 05-CP-07-1990)
Laurance H. Davis, Jr., et al. vs. Roosevelt Gardens, et al. (C/A # 05-CP-38-1131)

Dear Judge Early:

In a recent telephone conference call, you stated that you were denying the Plaintiff's pending Rule 59 motion, and would be issuing a written order to that effect. You also stated that you would issue separate rulings/orders with respect to the other outstanding motions, including the pending motion for recusal. I believe that you have signed an order with respect to the Rule 59 motion, but I am not aware of any subsequent orders relating to the recusal and any other outstanding motions.

Obviously, the Plaintiffs will be appealing your order denying their Rule 59 motion. Assuming that you will also be denying their other motions or requests, we ask that you issue written orders on these as soon as possible. By issuing separate orders at different times, the appeal time limits will be different. All of these issues need to be included in the Plaintiffs' appeal, and we therefore ask that you give priority to this request in order that the appellate process will not be compromised.

Sincerely,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey
JDB/lom

cc: Ellis M. Johnston, II
~~Calvin T. Vick~~
Marvin D. Infinger
Anne Ross Rosen
Thomas A. Pendarvis

Haynsworth Sinkler Boyd, P.A.

Date Recd 9/29/10

CM # 11471.0010

Docketed

FDL CIV. 245, HGC, SL, MLS

EXHIBIT

tabbler

12

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010180088

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership, Appellants,

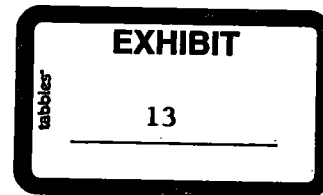
v.

Pinewood Park Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc., AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation, ISTC Corporation, N. Barton Tuck, Jr., and John Doe, a generic designation for a party or parties whose true identity is unknown, Respondents.

AFFIDAVIT OF ELLIS M. JOHNSTON, II IN SUPPORT OF REPLY MEMORANDUM
IN SUPPORT OF RESPONDENTS' MOTION TO DISMISS

Personally appeared before me, Ellis M. Johnston, II, who, being duly sworn, deposes and states as follows:

1. My name is Ellis M. Johnston, II. I am over the age of 18 years and am competent to testify to the matters contained herein based upon personal knowledge
2. I am a resident and citizen of Greenville, South Carolina.



3. I am an attorney in the State of South Carolina and have been continuously licensed to practice law in this state since 1975. I am a shareholder in the law firm of Haynsworth Sinkler Boyd, P.A. located in Greenville, South Carolina. I represent the Defendants in the above-captioned cases and have been continuously involved as lead counsel since the first suit was filed in April, 2003

4. I have personal knowledge of the following Exhibits to the Reply Memorandum in Support of Respondents' Motion to Dismiss (and Motion to Dismiss), which are attached to the Reply as indicated below. The documents are true and accurate copies of documents maintained and reviewed in the normal course of business.

(a) November 14, 2008 letter enclosing the first page, **Privilege Log**, signature page and Certificate of Service for **Plaintiffs' Responses to Defendants' Discovery Requests to all Plaintiffs dated August 28, 2008**, from Thomas A. Pendarvis, J.D. to Calvin T. Vick and copying the undersigned, attached to the Reply as Exhibit 1;

(b) January 22, 2009 first page, signature page and Certificate of Mailing for **Plaintiffs' Supplemental Answers to Defendants' Interrogatories** and **Plaintiffs' Supplemental Responses to Defendants' Request to Produce** from Joel D. Bailey to the undersigned, attached to the Reply as Exhibit 2;

(c) January 26, 2009 first page, signature page and Certificate of Service for **Plaintiffs' Supplemental Responses to Defendants' Discovery Requests to all Plaintiffs dated August 28, 2008** from Thomas A. Pendarvis to the undersigned, attached to the Reply as Exhibit 3;

(d) August 24, 2009 first page, signature page and Certificate of Service for **Plaintiffs' Second Supplemental Responses to Defendants' Discovery Requests to All**

Plaintiffs dated August 28, 2008 from Thomas A. Pendarvis to the undersigned, attached to the Reply as Exhibit 4;

(e) January 25, 2010 letter, front page, signature page and Certificate of Mailing for **Plaintiffs' Third Supplemental Responses to Defendants' Discovery Requests to All Plaintiffs dated August 28, 2008** from Joel D. Bailey to Judge Early and copying the undersigned, attached to the Reply as Exhibit 5;

(f) January 5, 2009 letter enclosing **Plaintiffs' Supplemental Privilege Log** from Thomas A. Pendarvis to Judge Clary and copying the undersigned, attached to the Reply as Exhibit 6;

(g) August 25, 2006 front page, signature page and Certificate of Service for **Plaintiffs' Combined Memorandum of Law in Opposition to Defendants' Motions to Dismiss Counts 1 Through 7 and Defendants' Motions to Dismiss for Improper Venue Pursuant to SCRPC 12(B)(3), or in the Alternative, to S.C. Code Ann. §15-7-30 and § 15-7-100** from Thomas A. Pendarvis to the undersigned, attached to the Reply as Exhibit 8;

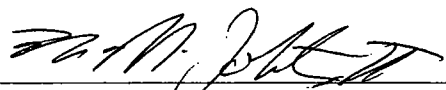
(h) September 10, 2009 **Notice of Appeal** and Proof of Service from Blake A. Hewitt to the undersigned, attached to the Reply as Exhibit 9;

(i) January 28, 2011 **Amended Notice of Appeal**, Proof of Service along with its Exhibit 9 from Thomas A. Pendarvis to the Undersigned, attached to the Reply as Exhibit 10;

(j) April 22, 2010, **Motion for Reconsideration**, cover page, pages 2 and 3, signature page and Proof of Service, which are part of Exhibit C to Respondents' Motion to Dismiss attached to the Reply as Exhibit 11; and

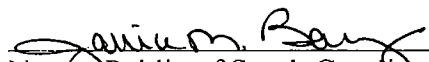
(k) September 27, 2010 letter requesting Judge Early issue Orders from Joel D. Bailey to Judge Early and copying the undersigned, attached to the Reply as Exhibit 12.

5. The documents attached to the Reply as Exhibits 1 through 12 are offered in reply to Plaintiffs' Return to Respondents' Motion to Dismiss and the affidavits filed by their attorneys and staff in support of the Return.



Ellis M. Johnston, II

Subscribed and sworn to me
This 8th day of February, 2011



Notary Public of South Carolina
My Commission expires on Dec. 5, 2015



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

510 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

January 24, 2011

PHONE: 843-525-6090
FAX: 843-525-6070

1033 25
RECEIVED
JAN 26 2011
SC Court of Appeals

Ms. Tanya Gee, Clerk
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RE: Carolina Management Corp. of Beaufort, et al. vs. Pinewood Park Apartments, et. al.
Case No. 2005-CP-07-1990
Case Tracking # 2010180088

Dear Ms. Gee:

Previously, a motion for a status conference and other relief was filed in a companion case on appeal, *i.e.*, Davis, *et al.* vs. Parkview Apartments, *et al.*, Case Tracking #2010180666. Last week we were informed by Elizabeth Carter of your office that a separate motion requesting such relief would need to be filed in each of the five (5) related appeals.

Accordingly, enclosed please find Appellants' Motion for Status Conference, for Consolidated Record, and to Stay Appeal Pending Hearing, and Memorandum in Support, together with an Affidavit of Joel D. Bailey. Also enclosed is proof of service and my firm's check in the amount of \$25.00 for the filing fee.

I would appreciate you filing these documents in the above-referenced appeal at your earliest convenience. Thank you for your assistance with this matter.

With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey

JDB/shb
enclosures

cc: Ellis M. Johnston, II, Esquire (w/enclosures)
Calvin T. Vick, Jr., Esquire (w/enclosures)
Jesse C. Belcher, Jr., Esquire (w/enclosures)
Anne Ross Rosen, Esquire (w/enclosures)
Marvin D. Infinger, Esquire (w/enclosures)
Thomas A. Pendarvis, Esquire (w/enclosures)

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

RECEIVED
JAN 26 2011
SC Court of Appeals

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

APPELLANTS' MOTION FOR STATUS CONFERENCE, FOR CONSOLIDATED RECORD, AND TO STAY APPEAL PENDING HEARING, AND MEMORANDUM IN SUPPORT

MOTION

The above-named Appellants in the above-captioned matter, together with the Appellants in four (4) companion appeals, to-wit, *Laurance H. Davis, Jr., et al. v. Parkview Apartments, et al.*, Case No. 2003-CP-07-726; *Laurance H. Davis, Jr., et al., vs. Palmetto*

Apartments, et al., Case No. 2005-CP-07-1989; *Rhoda G. Rentz, et al. v. Orleans Gardens, et al.*, Case No. 2005-CP-10-4229; and *Laurance H. Davis, Jr., et al. vs. Roosevelt Garden, et al.*, Case No. 05-CP-38-1131, hereby move, pursuant to Rule 224, SCACR, for an Order of this Court granting the following relief:

1. A Status Conference concerning the briefing schedule for the briefs in these five (5) appeals, as well as the feasibility for having such appeals heard on an expedited basis by this Court or, alternatively, directly by the South Carolina Supreme Court.
2. An Order permitting a single Record On Appeal for all five (5) of these appeals.
3. An Order staying the briefing schedule for all appeals until this Court rules upon this Motion.

MEMORANDUM IN SUPPORT

The Appellants in each case involved in these separate appeals are limited partners in limited partnerships wherein the above-named Respondents remain to this day general partners, with corresponding fiduciary duties to the Appellants as limited partners. For the most part, the Appellants are elderly, with some in their eighties (80's). Many have health issues. Some are widows. Virtually all have limited financial means. Resolution of the issues in these appeals within the earliest possible time frame and in the most economical manner, while nevertheless preserving their legal rights as citizen litigants, is essential to any concept of justice in light of their situation.

All five (5) five of these lawsuits were assigned to the Honorable Doyet A. Early, III, by Order of South Carolina Supreme Court Chief Justice Toal, dated March 7, 2006. Three (3) of the cases were filed in the Beaufort County Court of Common Pleas, one (1) was filed

in the Charleston County Court of Common Pleas, and one (1) was filed in the Orangeburg County Court of Common Pleas. The order of Chief Justice Toal assigning the cases to Judge Early did not consolidate the cases for any purpose. The cases were initially treated separately by Judge Early, but he subsequently began to render decisions which dealt with all five (5) cases simultaneously. Ultimately, Judge Early issued a single Order dismissing all five (5) cases, despite the individual issues associated with each case. Additionally, Judge Early denied motions in each case by Appellants for recusal and for a protective order which would have given Appellants an opportunity to comply with his earlier rulings without waiving their legal positions, including their position concerning privileged communications with their attorneys, and to avoid the sanction of dismissal imposed by Judge Early. Notwithstanding the Appellants' disagreement with the factual bases asserted by Judge Early in his dismissal order, as well as in his denial of the motions for recusal and a protective order, the bases for the rulings also include, *inter alia*, departures from existing law in South Carolina, a reinterpretation of the law of this state concerning confidential communications between attorneys and their clients, and federal and state constitutional issues.

Appellants in the respective cases earlier sought appellate intervention, both in this Court and in the Supreme Court, but their positions were determined to be interlocutory in nature and were delayed until a final determination was made in the lower court.

Appellants have timely filed motions in the lower courts for reconsideration of Judge Early's orders, and have received written notice of the entry of orders by Judge Early denying all such motions, with the exception of orders in the cases filed in Orangeburg County. In an abundance of caution, Appellants have filed appeals in all five (5) cases, notwithstanding

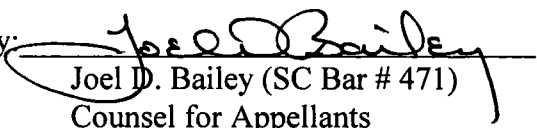
the lack of written notice of the entry of all of the orders from the respective Clerks of Court. Inasmuch as these motions and resulting orders are inextricably intertwined with the other issues in each of the appeals, the Appellants believe they should all be included in the present requests for appellate relief as set forth in this motion, and ask for relief in the form of having the briefing process in each case held in abeyance until this Court can address and rule upon this motion.

Additionally, Appellants believe that, due to the multiplicity and complexity of these appeals, a status conference would be in the best interests of all concerned. Appellants specifically request that the status conference address, *inter alia*, (1) the feasibility for having these appeals heard on an expedited basis by this Court or, alternatively, directly by the South Carolina Supreme Court; (2) the briefing schedule for submission of the appellate briefs in each of these five (5) appeals; (3) permitting a single Record On Appeal for all five (5) of these appeals; and (4) any other issues which may expedite the appellate process and serve the interests of justice.

Respectfully submitted,

THOMAS A. PENDARVIS (SC Bar # 064918)
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(843) 525-6070 fax
baileylawfirm@charter.net

By: 
Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

January 24, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
Calvin T. Vick, J.D.
Jesse C. Belcher, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
Nexsen Pruet, LLC
PO Box 486
Charleston SC 29402

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

AFFIDAVIT OF JOEL D. BAILEY

Personally appeared before me **JOEL D. BAILEY** who, being first duly sworn, states:

1. I am a resident and citizen of the City and County of Beaufort in the State of South Carolina.

2. I am an attorney and have been continuously licensed to practice law in the State of South Carolina since 1973. I am the sole shareholder of The Bailey Law Firm, P.A., located at 510 Ribaut Road in Beaufort, South Carolina.

3. I, together with Thomas A. Pendarvis, Esquire, represent the Appellants in the above-captioned case, as well as the Appellants in four related cases. Like myself, Mr. Pendarvis is a sole practitioner.

4. The above-captioned case was filed in 2005; the other cases were filed in 2003 and 2005. No trial has ever taken place in any of these cases. The Appellants in each case are limited partners in limited partnerships wherein the above-named Respondents are general partners.

5. By Order of Chief Justice Jean H. Toal of the South Carolina Supreme Court dated March 7, 2006, the Honorable Doyet A. Early III, resident Circuit Court Judge for the Second Judicial Circuit, was assigned to all of these cases. The order assigning the cases to Judge Early did not consolidate the cases for any purpose. Judge Early has issued an order dismissing all five (5) cases. The basis of his order involves controversial and disputed rulings related to discovery in these cases, and Appellants believe that Judge Early has significantly departed from the existing statutory and case law of this State in the issuance of this order. Additionally, there are serious issues concerning confidential communications between Appellants and their counsel, as well as issues arising under both the Federal and State Constitutions.

6. Although the Order assigning the cases to Judge Early did not consolidate the cases, and although the cases were initially handled separately by Judge Early with respect


to motions made therein, he ultimately began to treat the cases in a consolidated manner and issued a single order dismissing all five (5) of the cases. Motions for reconsideration pursuant to SCRCP 59 were made in each case, and an order denying the motions has been signed by Judge Early. A separate order was signed by Judge Early on December 11, 2010 with regard to other Rule 59 motions. Counsel for the Appellants have not yet received written notices of the entry of the orders in each case; nevertheless, in an abundance of caution, appeals have been filed in all five (5) cases. Due to the nature of the disposition of the cases, counsel for the Appellants believe that a status conference should be held at the appellate level in order to provide for an orderly and equitable briefing schedule. Counsel for the Appellants also believe that a single record on appeal is in order.

7. Many of the Appellants are elderly; some are over eighty years of age. Most of the Appellants have on-going health problems; at least four (4) of the original limited partners have died and some of the Appellants are their widows and estates. Virtually all of the Appellants are retired, live on fixed incomes and have limited financial means.

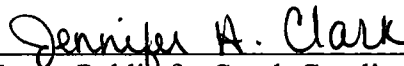
8. Counsel for the Appellants are informed and believe that based on the above circumstances, an altered briefing schedule is needed in order to prevent substantial economic hardship to Appellants and their counsel. Additionally, counsel for the Appellants believe that all appeals should be held in abeyance pending adoption of the briefing schedule by this Court. Furthermore, they are informed and believe that an expedited and economical resolution of the issues in these appeals, while preserving their legal rights as citizen litigants, is essential to any concept of justice in light of their situation.

9. Counsel for the Appellants have requested certain relief in the motion filed contemporaneously with this affidavit which is believed to be necessary in light of the unique circumstances involved in these appeals, and this affidavit is submitted in support of such motion, in accordance with Rule 224(c)(3), SCACR.

I have read the foregoing paragraphs and affirm that the information contained therein is true and accurate and is based upon my personal knowledge, observations and experience, except such information as may be stated to be based upon information and belief and, as to that information, I believe that it is true and accurate.


Joel D. Bailey (S.C. Bar # 00471)

Sworn to before me this
24th day of January, 2011


Notary Public for South Carolina

My Commission Expires: 7-8-2015

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

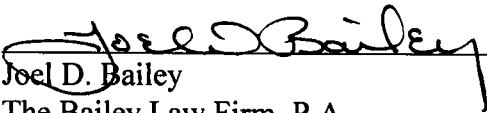
Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

PROOF OF SERVICE

I, Joel D. Bailey, of The Bailey Law Firm, P.A., certify that I have served one (1) copy of Appellants' Motion for Status Conference, for Consolidated Record, and to Stay Appeal Pending Hearing, and Memorandum in Support, together with the Affidavit of Joel D. Bailey dated January 24, 2011 on counsel for Respondents, by depositing a copy of the same in the United States Mail, postage prepaid, on the 24th day of January, 2011, addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
NEXSEN PRUETT LLC
PO Box 486
Charleston, SC 29402


Joel D. Bailey
The Bailey Law Firm, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437

Counsel for Appellants

January 24, 2011
Beaufort, South Carolina

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010180088

RECEIVED

FEB 04 2011

SC Court of Appeals

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership, Appellants,

v.

Pinewood Park Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc., AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation, ISTC Corporation, N. Barton Tuck, Jr., and John Doe, a generic designation for a party or parties whose true identity is unknown, Respondents.

RESPONDENTS' RETURN TO APPELLANTS'
MOTION FOR STATUS CONFERENCE, FOR
CONSOLIDATED RECORD, AND TO STAY APPEAL

Ellis M. Johnston, II
Calvin T. Vick, Jr.
HAYNSWORTH SINKLER BOYD, PA
Post Office Box 2048
Greenville, SC 29602
Telephone: (864) 240-3200
Facsimile: (864) 240-3336

Respondents submit this Return to Appellants' motion subject to, and without waiving or abandoning, Respondents' pending Motions to Dismiss (discussed below). Appellants' recent motion in the above-captioned appeal is substantially similar to the Motion for Status Conference, for Consolidated Record, and to Stay Appeal filed by the appellants in a related appeal, *Laurance H. Davis, Jr., et al. v. Parkview Apartments, et al.*, Case No. 2010180666, on or about December 24, 2010. Accordingly, Respondents' response to the instant motion in this appeal is substantially similar to the Return to the Motion filed by Respondents in *Laurance H. Davis, Jr., et al. v. Parkview Apartments, et al.*, Case No. 2010180666, on December 30, 2010.

In an attempt to minimize the confusion that may arise with respect to the five (5) related appeals currently before this Court, and the motions pending in each of the five appeals, Respondents offer the following summary:

- On March 7, 2006, the Supreme Court of South Carolina assigned the Honorable Doyet A. Early, III "to hear and decide all pre-trial motions and other matters pertaining to these cases [five related cases], including the trial and post-trial motions."¹
- The five (5) cases assigned to Judge Early included *Laurance H. Davis, Jr., et al. v. Parkview Apartments, et al.*, Civil Action No. 2003-CP-07-726 ("Parkview Case"); *Laurance H. Davis, Jr., et al. v. Palmetto Apartments, et al.*, Civil Action No. 2005-CP-07-1989 ("Palmetto Case"); *Carolina Management Corporation, et al. v. Pinewood Park Apartments,*

¹ See Respondents' Motion to Dismiss, which is pending in this appeal, at Exhibit A thereto.

et al., Civil Action No. 2005-CP-07-1990 (“Pinewood Case”); *Laurance H. Davis, Jr., et al. v. Roosevelt Gardens, et al.*, Civil Action No. 2005-CP-38-1131 (“Roosevelt Case”); and *Rhoda G. Rentz, et al. v. Orleans Gardens, et al.*, Civil Action No. 2005-CP-10-4229 (“Orleans Case”) (these five cases are collectively referred to hereinafter as the “Five Lawsuits”). Each of the Five Lawsuits involved claims by limited partners that the general partners of the defendant limited partnerships had breached their fiduciary duties in connection with the 1984 sale of five properties located within the State. All of the sales, with the exception of Pinewood (which involved a similar form of sale), were part of the same deal. The defendant general partners are identical in each of the Five Lawsuits, and most of the limited partners appear as plaintiffs in multiple cases (e.g., Laurance H. Davis, Jr. is a plaintiff in three of the five cases).

- The same nine (9) orders entered by Judge Early in the Five Lawsuits, as well as the Supreme Court’s March 7, 2006 Order assigning the Five Lawsuits to Judge Early, are the subject of **each** of the five (5) pending, related appeals. Those five related appeals are: *Laurance H. Davis, Jr., et al. v. Parkview Apartments, et al.*, Court of Appeals Case No. 2010180666 (“Parkview Appeal”); *Laurance H. Davis, Jr., et al. v. Palmetto Apartments, et al.*, Court of Appeals Case No. 2010180087 (“Palmetto Appeal”); *Carolina Management Corporation, et al. v. Pinewood Park Apartments, et al.*, Court of Appeals Case No. 2010180088 (“Pinewood Appeal”); *Laurance H. Davis, Jr., et al. v. Roosevelt Gardens, et al.*, Court

of Appeals Case No. 2010180086 (“Roosevelt Appeal”); and *Rhoda G. Rentz, et al. v. Orleans Gardens, et al.*, Court of Appeals Case No. 2010176826 (“Orleans Appeal”) (these five appeals are collectively referred to hereinafter as the “Five Appeals”).

- The two (2) key orders, which are among the orders appealed in each of the Five Appeals, are: (1) a single written Order, which applies on its face to all Five Lawsuits (i.e., in the caption and in the body of the Order), signed by Judge Early on April 6, 2010, and entered as of April 9, 2010 by each clerk, granting Defendants’ two motions for sanctions, finding plaintiffs in contempt of court, and **dismissing the Five Lawsuits** as sanctions for plaintiffs’ contempt (“Sanctions Order”); and (2) a single written Order, which applies on its face to all Five Lawsuits, signed by Judge Early on September 16, 2010, and entered on September 20, 2010, **denying plaintiffs’ single Motion for Reconsideration, dated April 22, 2010, which sought to alter or amend the Sanctions Order** (“Order Denying Motion for Reconsideration”).² The other seven (7) orders of Judge Early, which are appealed in each of the Five Appeals, are interlocutory orders that preceded entry of the Sanctions Order.³

² See Notice of Appeal filed in each of the Five Appeals (copies of the single Sanctions Order and the single Order Denying Motion for Reconsideration are attached to each of the five Notices of Appeal as Exhibits 8 and 9, respectively); the Notices of Appeal are attached to the respective Memoranda in Support of Respondents’ Motions to Dismiss in the Parkview, Palmetto, Pinewood and Roosevelt Appeals as Exhibit F (Orleans Notice of Appeal is attached to each of the above-referenced Memoranda as Exhibit E).

³ See Notice of Appeal in each of the Five Appeals at Exhibits 1 through 7 thereto. With one exception, each of those seven orders is a single written order, which applies on its face to all Five Lawsuits. The exception is the interlocutory order attached to each

- Counsel for Appellants in all Five Appeals, who represented the plaintiffs in all Five Lawsuits since at least 2005, have acknowledged that: (1) they received written notice of the entry of the single Sanctions Order no later than April 15, 2010;⁴ and (2) they received written notice of the entry of the single Order Denying Motion for Reconsideration no later than October 1, 2010.⁵
- The appellants in the Orleans Appeal served their Notice of Appeal on October 28, 2010, within 30 days of their receipt of written notice of the entry of the Order Denying Motion for Reconsideration. **However, the appellants in the Parkview, Palmetto, Pinewood and Roosevelt Appeals did not serve their respective Notices of Appeal until December 3, 2010, more than 60 days after they received written notice of the entry of the Order Denying Motion for Reconsideration.** In light of these facts, Respondents in the Parkview, Palmetto, Pinewood and Roosevelt Appeals filed Motions to Dismiss those appeals, pursuant to Rule 203, SCACR, on January 18, 2011. The Motions to Dismiss those four appeals remain pending before this Court.
- In response to the Motion for Status Conference, for Consolidated Record, and to Stay Appeal filed by the appellants in the Parkview Appeal on or

Notice of Appeal as Exhibit 6, which on its face applies to the Parkview Case, though it has been appealed in all Five Appeals.

⁴ See Plaintiffs' single Motion for Reconsideration with respect to the Sanctions Order, dated April 22, 2010, attached to each of the Memoranda in Support of Respondents' Motions to Dismiss as Exhibit C thereto.

⁵ See Notice of Appeal in the Orleans Appeal (at p. 2, ¶ 9), attached to each of the Memoranda in Support of Respondents' Motions to Dismiss as Exhibit E thereto.

about December 24, 2010, Respondents filed their Return on December 30, 2010, stating, *inter alia*, that they do not object to the appellants' request for a status conference concerning the five related appeals, **but the Court need not, and should not, grant such a status conference until after the Court has ruled on Respondents' Motions to Dismiss four of the appeals.** If the Court dismisses four of the appeals, many of the issues Appellants wish to discuss in the status conference (consolidation, one Record on Appeal, etc.) will be rendered moot.

With respect to Appellants' current motion, Respondents do not object to Appellants' request for a status conference concerning the Five Appeals, **but respectfully submit that the status conference need not, and should not, occur until the Court has ruled on Respondents' pending Motions to Dismiss four of the appeals.** If Respondents' Motions to Dismiss are granted, most of the issues Appellants wish to discuss in a status conference will become moot.

Although Respondents do not object to Appellants' request for a status conference following the Court's ruling on Respondents' Motions to Dismiss, they in no way consent to any other relief requested or alluded to in Appellants' motion, except for Appellants' request that there be a single Record on Appeal for the Five Appeals **if** four of the appeals are not dismissed.

Responding further, Respondents are not aware of any legitimate basis for having these appeals heard directly by the South Carolina Supreme Court.

Respondents are wary of Appellants' vague requests for a briefing schedule and for having the appeals heard on an expedited basis. Appellants have filed Notices of

Appeal with regard to thirteen (13) separate orders. Respondents anticipate that the Record on Appeal will be extraordinarily voluminous, as it will cover numerous motions, hearings and orders over the course of years of litigation. At this time, it is difficult for Respondents to predict the amount of time that will be necessary in order for Respondents to adequately respond to Appellants' brief. For these reasons, Respondents believe the briefing of the parties should proceed in accordance with the South Carolina Appellate Court Rules, subject to reasonable requests for extensions as permitted under the Rules.

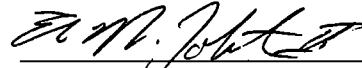
The time period for filing Appellants' initial briefs in the Parkview, Palmetto, Pinewood and Roosevelt Appeals is stayed due to Respondents' pending Motions to Dismiss those appeals, pursuant to Rule 240(b), SCACR. Due to the similarity of the facts and issues presented in each of the five appeals, Respondents would consent to a stay of the time period for filing Appellants' initial brief in the Orleans Appeal until the Court has ruled on the Motions to Dismiss the other four appeals.

Respondents do not agree with Appellants' characterizations of certain orders, rulings and events in their motion and supporting affidavit, but they will refrain from arguing those matters until the appropriate time in the appellate process.

For the reasons set forth above, **Respondents respectfully request that the Court hold Appellants' motion in abeyance until the Court has ruled on the Respondents' pending Motions to Dismiss.** Respondents do not object to a stay of the time period for filing Appellants' initial brief in the Orleans Appeal (Case No. 2010176826) until the Court has ruled on the pending Motions to Dismiss.

Respectfully Submitted,

HAYNSWORTH SINKLER BOYD, PA



Ellis M. Johnston, II, SC Bar # 3065

Calvin T. Vick, Jr., SC Bar #68187

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Greenville, South Carolina 29602

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(864) 240-3336 (fax)

tvick@hsblawfirm.com

ejohnston@hsblawfirm.com

Attorneys for Respondents

This 3rd day of February, 2011.
Greenville, South Carolina

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010180088

RECEIVED
FEB 04 2011
SC Court of Appeals

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership, Appellants,

v.

Pinewood Park Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc., AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation, ISTC Corporation, N. Barton Tuck, Jr., and John Doe, a generic designation for a party or parties whose true identity is unknown, Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served counsel for the Appellants with a copy of *RESPONDENTS' RETURN TO APPELLANTS' MOTION FOR STATUS CONFERENCE, FOR CONSOLIDATED RECORD, AND TO STAY APPEAL* by mailing copies of the same by United States Mail with first class postage prepaid to the following addresses:

Thomas A. Pendarvis
Pendarvis Law Offices, P.C.
500 Carteret Street, Suite A
Beaufort, South Carolina 29902-5066

Joel D. Bailey
The Bailey Law Firm, P.A.
PO Box 1437
Beaufort, South Carolina 29901-1437



Ellis M. Johnston, II

February 3, 2011
Greenville, South Carolina

GREENVILLE

CHARLESTON

COLUMBIA

FLORENCE

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

75 BEATTIE PLACE, 11TH FLOOR (29601-2119)
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GREENVILLE, SOUTH CAROLINA
TELEPHONE 864.240.3200
FACSIMILE 864.240.3300
WEBSITE www.hsblawfirm.com

ELLIS M. JOHNSTON, II
DIRECT DIAL NUMBER 864-240-3217
EMAIL ejohnston@hsblawfirm.com

February 3, 2011

VIA U.S. MAIL

The Honorable Tanya Gee
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Carolina Management Corporation of Beaufort, et al. v. Pinewood
Park Apartments, et al.*
Case No. 2010180088

Dear Ms. Gee:

With regard to the above-referenced matters, enclosed please find an original and six (6) copies of the *Respondents' Return to Appellants' Motion for Status Conference; for Consolidated Record, and to Stay Appeal and Proof of Service* for same with regard to the above-captioned appeal. I would appreciate your filing these at your earliest convenience and returning the additional enclosed copy, file-stamped to me in the self-addressed, stamped envelope.

With king regards, I remain

Very truly yours,

HAYNSWORTH SINKLER BOYD, P.A.

RECEIVED

FEB 04 2011



Ellis M. Johnston, II

EMJ,II:jmb
Enclosures

SC Court of Appeals

cc: Joel D. Bailey, Esquire
Thomas A. Pendarvis, Esquire

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

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MAR 09 2011

Case No. 2010180088

SC Court of Appeals

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership, Appellants,

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Pinewood Park Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc., AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation, ISTC Corporation, N. Barton Tuck, Jr., and John Doe, a generic designation for a party or parties whose true identity is unknown, Respondents

RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S, AND
JESSE BELCHER'S MOTION PURSUANT TO S.C.A.C.R. 264

Ellis M. Johnston, II
Calvin T. Vick, Jr.
HAYNSWORTH SINKLER BOYD, PA
Post Office Box 2048
Greenville, SC 29602
Telephone: (864) 240-3200
Facsimile: (864) 240-3336

In light of Appellants' newly found belief (**Exhibit 1**) that it is necessary for them to serve Marvin Infinger, Anne Rosen, and Jesse Belcher with all documents related to the within appeal in order to comply with Rule 5, SCRCR (because Mr. Infinger, Mrs. Rosen and Mr. Belcher are allegedly "counsel of record"),¹ Respondents, Mr. Infinger, Mrs. Rosen, and Mr. Belcher file the within Motion pursuant to Rule 264, SCACR. Appellants' belief is "newly found" because, contrary to their contention in their letter,

Accordingly, Mr. Pendarvis and I have provided these attorneys with copies of all communications in the lower court and concerning this appeal, as we have never received a written order relieving them as counsel in this Court or in the lower court. (Exhibit 1)

- Appellants acknowledged in January, 2009 that Mr. Infinger, Mrs. Rosen, and Mr. Belcher were no longer working on the matter (**Exhibit 2**);
- Since that time, Appellants on numerous occasions did not serve pleadings on Mr. Infinger, Mrs. Rosen, or Mr. Belcher, as required by the Rules **if**, as Appellants contend, they are counsel of record (**Exhibit 3**)²;
- Appellants apparently did not consider Mr. Infinger, Mrs. Rosen, or Mr. Belcher to be counsel of record when they appealed this matter in September, 2009 (**Exhibit 4**);
- Appellants apparently did not consider Mr. Infinger, Mrs. Rosen, or Mr. Belcher to be counsel of record when they petitioned to the South Carolina Supreme Court in September, 2009 for a Writ of Prohibition or in the Alternative Certiorari (**Exhibit 5**);
- The clerk's office records do not reflect that Mr. Infinger, Mrs. Rosen or Mr. Belcher are counsel of record (**Exhibit 6**);

¹ Respondents surmise that this is a thinly veiled attempt to add weight to their argument in the Court below, that Judge Early should have recused himself because Mr. Infinger spent the night at his lake house 30 years ago, and because Judge Early officiated at the wedding of Mrs. Rosen.

² Sporadically, since January, 2009, Appellants have sometimes served one, two, or all three of Mr. Infinger, Mrs. Rosen, and Mr. Belcher (**Exhibit 7**).

- And, even though Mr. Infinger's, Mrs. Rosen's, and Mr. Belcher's names have appeared on some pleadings, none have ever signed a pleading.

Nonetheless, Respondents, Mr. Infinger, Mrs. Rosen, and Mr. Belcher respectfully move the Court pursuant to Rule 264(b), SCACR, for an Order permitting the withdrawal of and removing Mr. Infinger, Mrs. Rosen, and Mr. Belcher as counsel of record, if so they be. In support of this Motion, Respondents show the Court that, if and to the extent Mr. Infinger, Mrs. Rosen and Mr. Belcher have ever been counsel of record in this matter, Respondents have been notified in writing that Mr. Infinger, Mrs. Rosen and Mr. Belcher seek to withdraw as counsel, and Respondents have authorized their attorneys in this matter, Mr. Johnston and Mr. Vick, to inform the Court that Respondents consent to the requested withdrawal. To be clear, Mr. Johnston and Mr. Vick are, and shall remain, Respondents' counsel of record in this matter.

(Signatures on Next Page)

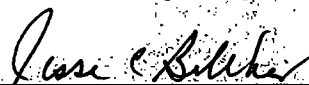
Respectfully Submitted,

HAYNSWORTH SINKLER BOYD, P.A.



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Post Office Box 2048
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tvick@hsblawfirm.com

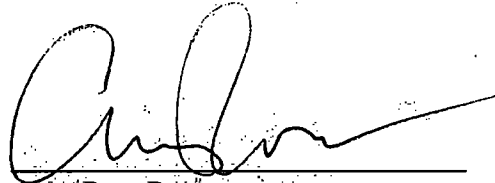
Attorneys for Respondents



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864-240-3200 (phone)
864-240-3336 (fax)

March 3, 2011
Greenville, South Carolina

(Signatures Continue on Next Page)



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Marvin D. Infinger
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843-720-1777 (fax)

March 3, 2011
Charleston, South Carolina



THE
BAILEY LAW FIRM

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FAX: 843-625-6070

February 15, 2011

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Honorable Tanya Gee, Clerk
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

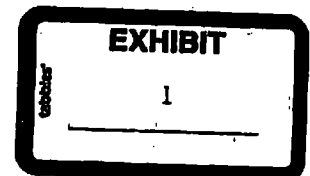
RE: Carolina Management Corp. of Beaufort, et al. vs. Pinewood Park Apartments, et. al.
Case No. 2005-CP-07-1990
Case Tracking # 2010180088

Dear Ms. Gee:

I am in receipt of Calvin T. Vick's letter to you dated February 10, 2011, wherein Mr. Vick advises this Court that Marvin Infinger, Anne Ross Rosen and Jesse Belcher are not counsel of record for Respondents in the above-referenced appeal. Mr. Infinger, Ms. Rosen and Mr. Belcher were previously identified as counsel for the Defendants in the lower court. None of these attorneys have filed a motion to be relieved as counsel, nor has any order been issued relieving them.

Rule 11(b), SCRCP, provides that attorneys may be relieved in the lower court "by order of the Court, and not otherwise." Rule 235(a), SCACR, provides that "the attorneys ... of the respective parties of the court below shall be deemed the attorneys ... in the appellate court until withdrawal is approved and notice is given as provided in this Rule." Rule 235(b), SCACR, prohibits an attorney of record from withdrawing from representation of a client in an appeal "without justifiable cause, or the consent of his client; and then only after proper written notice to his client, on petition to and by written order of the appellate court, and with notice to the adverse party."

Rule 5, SCRCP, requires service of documents on all counsel of record. Accordingly, Mr. Pendarvis and I have provided these attorneys with copies of all communications in the lower court and concerning this appeal, as we have never received a written order relieving them as counsel in this Court or in the lower court. In light of the existing law, we must continue to treat these attorneys as counsel of record unless notified to do otherwise by this Court.

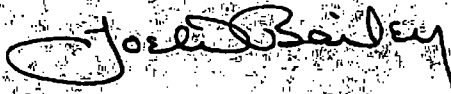


Honorable Tanya Gee, Clerk
February 15, 2011
Page Two

With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.



Joel D. Bailey

JDB/shb

cc: Ellis M. Johnston, II, Esquire
Calvin T. Vick, Jr., Esquire
Jesse C. Belcher, Jr., Esquire
Anne Ross Rosen, Esquire
Marvin D. Infinger, Esquire
Thomas A. Pendarvis, Esquire

BAILEY LAW FIRM, P.A.

Johnston, Ellis

From: baileylawfirm@charter.net
Sent: Friday, January 30, 2009 1:19 PM
To: Vick, Ted
Cc: Johnston, Ellis; Thomas Pendarvis; dearlyc: sccourts.org
Subject: Hearing before Judge Early

Ted:

Thomas has forwarded me a copy of the messages below which have transpired between you and Judge Early's law clerk. I note that I was not copied on your latest emails. Please see that all future correspondence and attachments are directed to both Thomas and myself. I am also requesting that Carra include me in all future correspondence.

I have not copied Jesse, Marvin or Anne on this email, in light of your and Ellis' statements yesterday that they are not working on the case.

Thanks.

Joel
The Bailey Law Firm, P.A.
PO Box 1437
Beaufort, SC 29901-1437
843-525-6090
843-525-6070 (fax)
baileylawfirm@charter.net

-----Original Message-----

From: Vick, Ted
Sent: Thursday, January 29, 2009 1:30 PM
To: Early, Doyet A. Law Clerk (Carra Henderson); Thomas A. Pendarvis

Carra,

We are attaching the consent order for Judge Early's consideration and signature.

As for the motions hearing, I have spoken with Thomas Pendarvis and we would like to do this the afternoon of Feb. 10 in Bamberg. Thomas thinks it may take more than an hour (he is probably right), so we'll revise our estimate to 1 1/2 hours. Then we would probably want a brief and informal discussion with Judge Early after the motions hearing. If possible, we would like to start around 3:00 so that we can complete a deposition in Beaufort that morning. We are all going to be in Beaufort for depositions in these cases for most or all of that week. The motions for hearing are 2 motions to alter/amend by Plaintiffs, 1 motion for protective order by Defendants, and follow up on some previous discovery motions that Judge Early told us to work out the best we can and report back to him.

Thanks.

Ted Vick
Haynsworth Sinkler Boyd, P.A.
75 Beattie Place, Eleventh Floor (29601)
P.O. Box 2048 (29602-2048)
Greenville, South Carolina
Telephone 864-240-3324
Facsimile 864-240-3336
tvick@hsblawfirm.com

EXHIBIT

2

From: Early, Doyet A. Law Clerk (Carra Henderson)
[dearlylc@sccourts.org]
Sent: Thursday, January 29, 2009 10:56 AM
To: Vick, Ted; Thomas A. Pendarvis
Subject: RE: Davis v. Aimco -- dates for hearing on Plaintiffs'
Rule 59 motions

Ted,

I will be on the look-out for the consent order. As for the hearing on outstanding motions, does Tuesday, February 10th in Bamberg work for both sides? I can do a morning or afternoon hearing, whichever everyone would prefer. Thanks!

J. Carra Henderson
Law Clerk to the Honorable D.A. Early, III
The Circuit Court of the 2nd Judicial Circuit
PO Box 90
Bamberg, SC 29003
Telephone: 803.245.4004
Fax: 803.245.2983
dearlylc@sccourts.org

From: Vick, Ted [tvick@hsblawfirm.com]
Sent: Thursday, January 29, 2009 10:06 AM
To: Early, Doyet A. Law Clerk (Carra Henderson); Thomas A. Pendarvis
Subject: RE: Davis v. Aimco -- dates for hearing on Plaintiffs'
Rule 59 motions

Carra,

The parties have agreed on a consent order to alter/amend Judge Early's Dec. 30, 2008 Order that authorized Judge Clary to serve as Special Master for in camera review of certain documents, so as to add additional documents to be reviewed by Judge Clary as Special Master. Thomas and I are actually in that in camera review with Judge Clary today, and we will sign the consent order today and send it to your attention via e-mail and mail for Judge Early's consideration.

Also, the parties would like to set a hearing with Judge Early on additional outstanding motions. Does Judge Early have any time available the week of Feb. 9? If so, where will he be that week? I have not discussed the length of the hearing with Plaintiffs' counsel yet, but I think we would need about 1 hour, and perhaps some "in

chambers" discussion time with Judge Early if that can be done. Thank
you

Ted Vick
Haynsworth Sinkler Boyd, P.A.
75 Beattie Place, Eleventh Floor (29601)
P.O. Box 2048 (29602-2048)
Greenville, South Carolina
Telephone 864-240-3324
Facsimile 864-240-3336
tvick@hsblawfirm.com

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)

-vs-)

Roosevelt Gardens, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Orangeburg County
CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)

-vs-)

Orleans Gardens, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Charleston County
CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)

-vs-)

Palmetto Apartments, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A #2005-CP-07-1989

Laurance H. Davis, Jr., *et al*, Plaintiffs,)

-vs-)

Parkview Apartments, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A # 03-CP-07-726

CERTIFICATE OF MAILING

I, Sandra H. Bailey, of THE BAILEY LAW FIRM, P.A., attorneys for the Plaintiffs herein, do hereby certify that on the 13th day of March, 2009, I mailed a copy of the Plaintiffs' Motion to Alter or Amend Order Da March 3, 2009, the same being addressed to:

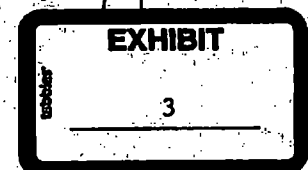
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Calvin T. Vick, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

THE BAILEY LAW FIRM, P.A.
P.O. Box 1437
Beaufort, South Carolina 29901-1437
843-525-6090

By: Sandra H. Bailey
Sandra H. Bailey

Beaufort, South Carolina
March 13, 2009



STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)

-vs-)

Roosevelt Gardens, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Orangeburg County

CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)

-vs-)

Orleans Gardens, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Charleston County

CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)

-vs-)

Palmetto Apartments, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Beaufort County

C/A #2005-CP-07-1989

Laurance H. Davis, Jr., *et al*, Plaintiffs,)

-vs-)

Parkview Apartments, a South Carolina)

Limited Partnership, *et al*, Defendants.)

Beaufort County

C/A # 03-CP-07-726

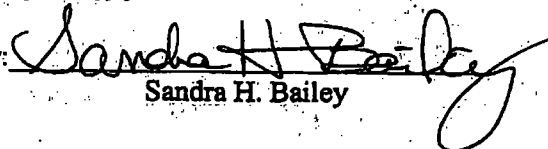
CERTIFICATE OF MAILING

I, Sandra H. Bailey, of THE BAILEY LAW FIRM, P.A., attorneys for the Plaintiffs herein, do hereby certify that on the 23rd day of March, 2009, I mailed a copy of the Plaintiffs' Motion to Alter or Amend Order Dated March 23, 2009, first class mail, postage pre-paid, the same being addressed to:

Clis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Calvin T. Vick, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

THE BAILEY LAW FIRM, P.A.
P.O. Box 1437
Beaufort, South Carolina 29901-1437
843-525-6090

By: 
Sandra H. Bailey

Beaufort, South Carolina
March 23, 2009

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)
)
Laurance H. Davis, Jr., et al, Plaintiffs,)
 -vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, et al, Defendants.)
)

IN THE COURT OF COMMON PLEAS
C/A # 03-CP-07-726

Beaufort County

CERTIFICATE OF MAILING

I, Joel D. Bailey, of THE BAILEY LAW FIRM, P.A., co-counsel for the Plaintiffs herein, do hereby certify that on the 25th day of January, 2010, I mailed a copy of the Plaintiffs' Third Supplemental Discovery Responses, via first class mail, postage pre-paid, the same being addressed to:


Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Calvin T. Vick, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Honorable Doyet A. Early, III
Circuit Court Judge
Post Office Box 90
Bamberg, South Carolina 29003-0090

Thomas A. Pendarvis
PENDARVIS LAW OFFICES, P.C.
500 Carteret St Ste A
Beaufort SC 29902-5066

THE BAILEY LAW FIRM, P.A.
P.O. Box 1437
Beaufort, South Carolina 29901-1437
843-525-6090

By: 
Joel D. Bailey

Beaufort, South Carolina
January 25, 2010



PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS@PENDARVISLAW.COM

THOMAS A. PENDARVIS, J.D.
ADMITTED IN SC AND GA

TEL: 843.524.9500
FAX: 843.524.9501

January 18, 2010

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr. J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Re: Laurence H. Davis, Jr., et al. v. Parkview Apartments, et al.
Laurence H. Davis, Jr., et al. v. Palmetto Apartments, et al.
Carolina Management Corp. of Beaufort, et al. v. Pinewood Park Apts., et al.
Rhoda G. Rentz, et al. v. Orleans Gardens, et al.
Laurence H. Davis, Jr., et al. v. Roosevelt Gardens, et al.

Dear Ellis and Ted:

Enclosed please find clocked copies of the CONSENT ORDER GRANTING DEFENDANTS MOTION FOR CONTINUANCE, which have been filed in the offices of the Clerks of Court for Beaufort, Charleston and Orangeburg counties.

With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis, J.D.

TAP/jac
Enclosures
cc: Joel D. Bailey, J.D. (w/enclosures)

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.)
Parkview Apartments, a South Carolina Limited)
Partnership, et al., Defendants.)

Beaufort County
C.A. No. 2003-CP-07-726

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.)
Roosevelt Gardens, a South Carolina Limited)
Partnership, et al., Defendants.)

Orangeburg County
C.A. No. 2005-CP-38-1131

Rhonda G. Rentz, et al., Plaintiffs,)
v.)
Orleans Gardens, a South Carolina Limited)
Partnership, et al., Defendants.)

Charleston County
C.A. No. 2005-CP-10-4229

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.)
Palmetto Apartments, a South Carolina Limited)
Partnership, et al., Defendants.)

Beaufort County
C.A. No. 2005-CP-07-1989

Carolina Management Corporation of Beaufort,)
et al., Plaintiffs,)
v.)
Pinewood Park Apartments, a South Carolina)
Limited Partnership, et al., Defendants.)

Beaufort County
C.A. No. 2005-CP-07-1989

FILED FOR RECORD
VIRGINIA B. CLARK
CLERK OF COURT
2010 JAN 15 P 12 27

**CONSENT ORDER GRANTING
DEFENDANTS' MOTION FOR CONTINUANCE**

This matter comes before the Court on the Defendants' motion for continuance of the above-captioned actions from the trial term of January 19, 2010. The Plaintiffs consent to the Defendants' motion for continuance, as indicated by the signature of the Plaintiffs' counsel below.

ATTEST

Virginia B. Clark

WHEREFORE, the motion is granted and the above-captioned actions are continued

mtc
#

COURT
SOUTH CAROLINA

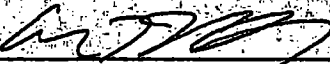
from the trial term of January 19, 2010.

IT IS SO ORDERED.


This 4th day of Jan, 2010.
Beaufort, South Carolina


Doyel A. Early, III, Circuit Court Judge

WE CONSENT:


Ellis M. Johnston, II, SC Bar # 3065
Calvin T. Vick, Jr., SC Bar #68187
HAYNSWORTH SINKLER BOYD, PA
Post Office Box 2048
Greenville, South Carolina 29602
(864) 240-3217

Attorneys for Defendants


Joel D. Bailey
BAILEY LAW FIRM
Post Office Box 1437
Beaufort, South Carolina 29901-1437
(843) 525-6090

Thomas A. Pendarvis, SC Bar # 064918
PENDARVIS LAW OFFICE, P.C.
500 Carteret Street, Suite A
Beaufort, South Carolina 29902-5006
(843) 524-9500

Attorneys for Plaintiffs



PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS@PENDARVISLAW.COM

THOMAS A. PENDARVIS, J.D.
ADMITTED IN SC AND GA

TEL. 843.524.9500
FAX. 843.524.9501

February 10, 2010

Dear Judge Early, Ellis and Ted:

Re: Order of Protection for Thomas A. Pendarvis

Enclosed please find an Order of Protection which has been filed with the Orangeburg County Clerk of Court covering the time period of **July 23, 2010 through and including August 6, 2010**. The following is a list of pending cases in which I am involved:

- | | | |
|----|------------------|---|
| 1. | CIVIL ACTION | Laurance H. Davis, <i>et al</i> / v Roosevelt Gardens, <i>et al</i> |
| | CASE NO. | 2005-CP-38-1131 |
| | OPPOSING COUNSEL | Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD |

Should you have any questions, please do not hesitate to contact me.

With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis, J.D.

TAP\jac
 Enclosure

cc: The Honorable Doyet A. Early, III
 Ellis M. Johnston, II, J.D.
 Calvin T. Vick, Jr., J.D.

SEARCHED [] INDEXED []
 SERIALIZED [] FILED []
 FEB 16 2010
 1147L.0010
 CTV, EMS, JGC, SL, MLS

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort, Charleston, and Orangeburg Counties

Doyet A. Early, III, Circuit Court Judge

Beaufort County 03-CP-07-726
Beaufort County 05-CP-07-1989
Beaufort County 05-CP-07-1990
Charleston County 05-CP-10-4229
Orangeburg County 05-38-1131

RECEIVED
SEP 10 2009
SC Court of Appeals

Laurance H. Davis, Jr., et al. Appellants,

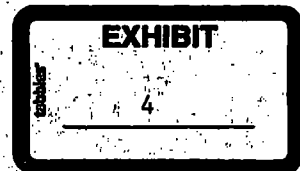
v.

Parkview Apartments, et al., Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, she served counsel for the Respondents, with a copy of the Notice of Appeal by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

C. Theodore Vick, Jr., Esquire
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
Greenville, South Carolina 29602-2048



The undersigned hereby certifies she also served the Beaufort, Charleston, and Orangeburg County Clerk of Court with a copy of the Notice of Appeal by mailing a copy of the same by United States Mail with first class postage prepaid to the following addresses:

The Honorable Jerri Roseneau
Beaufort County Clerk of Court
Post Office Drawer 1128
Beaufort, South Carolina 29901

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, #106
Charleston, South Carolina 29401

The Honorable Lisa W. Mizell
Orangeburg County Clerk of Court
Post Office Drawer 9000
Orangeburg, South Carolina 29116

September 10, 2009
Columbia, South Carolina


Ashleigh W. Fair

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort, Charleston, and Orangeburg Counties

Doyet A. Early, III, Circuit Court Judge

Beaufort County 03-CP-07-726
Beaufort County 05-CP-07-1989
Beaufort County 05-CP-07-1990
Charleston County 05-CP-10-4229
Orangeburg County 05-CP-38-1131

Laurance H. Davis, Jr., Mary Jane R. Pike,
Eva Marie Reynolds, and Rhonda G. Rentz,
individually and in their capacities as the
Limited Partners of Parkview Apartments,
a South Carolina Limited Partnership Appellants,

v.

Parkview Apartments, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Laurance H. Davis, Jr., Marvin D. McCarthy,
James W. Ivey, and Erin E. Ivey, individually
and in their capacities as the Limited
Partners of Palmetto Apartments,
a South Carolina Limited Partnership Appellants,

v.

Palmetto Apartments, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Carolina Management Corporation of
Beaufort, James B. Jackson,
Whaley R. Hinnant, Jr., Mary Gasser
Rawl, and Rhonda G. Rentz, individually
and in their capacities as the Limited
Partners of Pinewood Park Apartments,
a South Carolina Limited Partnership Appellants,

v.

Pinewood Park Apartments, a South
Carolina Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO,
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Rhonda G. Rentz, Mary Jane Pike,
Eva Marie Reynolds, and Joanne O. Mercy,
individually and in their capacities as the
Limited Partners of Orleans Gardens, a
South Carolina Limited Partnership Appellants,

v.

Orleans Gardens, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Laurance H. Davis, Jr., Rhonda G. Rentz,
Mortimer M. Weinberg, Jr., Hodge Land Co.,
Inc., and Anna Trotter, individually and in their
capacities as the Limited Partners of Roosevelt
Gardens, a South Carolina Limited Partnership Appellants,

v.

Roosevelt Gardens, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, she served counsel for the Respondents, with a copy of the Amended Notice of Appeal by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

C. Theodore Vick, Jr., Esquire
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
Greenville, South Carolina 29602-2048

September 24, 2009
Columbia, South Carolina


Ashleigh W. Hair

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort, Charleston, and Orangeburg Counties

Doyet A. Early, III, Circuit Court Judge

Beaufort County 03-CP-07-726
Beaufort County 05-CP-07-1989
Beaufort County 05-CP-07-1990
Charleston County 05-CP-10-4229
Orangeburg County 05-CP-38-1131

Laurance H. Davis, Jr., Mary Jane R. Pike,
Eva Marie Reynolds, and Rhonda G. Rentz,
individually and in their capacities as the
Limited Partners of Parkview Apartments,
a South Carolina Limited Partnership Appellants,

v.

Parkview Apartments, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Laurance H. Davis, Jr., Marvin D. McCarthy,
James W. Ivey, and Erin E. Ivey, individually
and in their capacities as the Limited
Partners of Palmetto Apartments,
a South Carolina Limited Partnership Appellants,

v.

Palmetto Apartments, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Carolina Management Corporation of
Beaufort, James B. Jackson,
Whaley R. Hinnant, Jr., Mary Gasser
Rawl, and Rhonda G. Rentz, individually
and in their capacities as the Limited
Partners of Pinewood Park Apartments,
a South Carolina Limited Partnership Appellants,

v.

Pinewood Park Apartments, a South
Carolina Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Rhonda G. Rentz, Mary Jane Pike,
Eva Marie Reynolds, and Joanne O. Mercy,
individually and in their capacities as the
Limited Partners of Orleans Gardens, a
South Carolina Limited Partnership Appellants,

v.

Orleans Gardens, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents,

and

Laurance H. Davis, Jr., Rhonda G. Rentz,
Mortimer M. Weinberg, Jr., Hodge Land Co.,
Inc., and Anna Trotter, individually and in their
capacities as the Limited Partners of Roosevelt
Gardens, a South Carolina Limited Partnership Appellants,

v.

Roosevelt Gardens, a South Carolina
Limited Partnership, Apartment Investment
and Management Company a/k/a AIMCO;
Insignia Financial Group, Inc.; Amreal Corporation
a/k/a/ and f/k/a USS Corporation a/k/a/ and
f/k/a/ U.S. Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a generic
designation for a party or parties whose true
identity is unknown Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, she served counsel for the Respondents, with a copy of the Appellants' Return in Opposition to Respondents' Motion to Dismiss and Appellants' Reply in Support of their Motion to Hold Appeal in Abeyance by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

C. Theodore Vick, Jr., Esquire
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
Greenville, South Carolina 29602-2048

September 28, 2009
Columbia, South Carolina


Ashleigh W. Blair

THE STATE OF SOUTH CAROLINA
In the Supreme Court

ORIGINAL JURISDICTION

Ex Parte:

Laurance H. Davis, Jr., et al., Petitioners,

In Re:

Laurance H. Davis, Jr., et al., Plaintiffs,

v.

Parkview Apartments,
et al., Defendants.

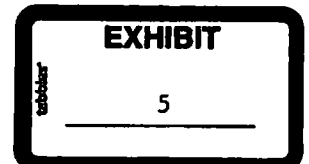
PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served counsel for the Defendants, with a copy of the Petition for the Writ of Prohibition or Alternatively for Writ of Certiorari by mailing copies of the same by United States Mail with first class postage prepaid to the following addresses:

C. Theodore Vick, Jr., Esquire
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
Greenville, South Carolina 29602-2048


Blake A. Heyvitt

September 2, 2009
Columbia, South Carolina



THE STATE OF SOUTH CAROLINA
In the Supreme Court

ORIGINAL JURISDICTION

Ex Parte:

Laurance H. Davis, Jr., et al., Petitioners,

In Re:

Laurance H. Davis, Jr., et al., Plaintiffs,

v.

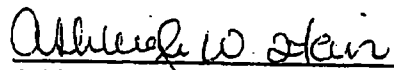
Parkview Apartments,
et al., Defendants.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, she served counsel for the Defendants, with a copy of the Reply in Support of Petition for the Writ of Prohibition or Alternatively for Writ of Certiorari by mailing copies of the same by United States Mail with first class postage prepaid to the following addresses:

C. Theodore Vick, Jr., Esquire
Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
Post Office Box 2048
Greenville, South Carolina 29602-2048

September 21, 2009
Columbia, South Carolina



Ashleigh W. Blair



Beaufort County Fourteenth Circuit Public Index

[Back](#)[New Search](#)[County Home Page](#)

Carolina Management Corporatio , plaintiff, et al VS Pinewood Park Apartments A Sc , defendant, et al

Case Number: 2005CP0701990

Court Agency: Beaufort County Common Pleas

Filed Date: 10/13/2005

Case Type: Common Pleas

Case Sub Type: Special-Comp/Oth 699

File Type: Jury

Status: Appeal

Assigned Judge: Early, Doyet A. III

Disposition Date: 04/09/2010

Disposition Judge: Early, Doyet A. III

Disposition: Ended by Non Jury

Original Source Doc:

Original Case #:

Judgment Number:

[Parties](#) | [Judgments](#) | [Actions](#) | [Associated Cases](#) | [Tax Map Information](#)

Parties

Name	Address	Race	Sex	Date of Birth	Party Type Description	Status
AIMCO,		Unknown			Defendant	Active
Amreal Corporation,		Unknown			Defendant	Active
Apartment Investment & Management Company,		Unknown			Defendant	Active
Bailey, Joel D	BAILEY LAW FIRM POB 1437 BEAUFORT SC 299011437				Plaintiff, Attorney	Active
Carolina Management Corporatio,		Unknown	U		Plaintiff	Active
Doe, John		Unknown	U		Defendant	Active
Hinnant, Whaley R Jr		Unknown	U		Plaintiff	Active
Insignia Financial Group Inc,		Unknown	U		Defendant	Active
Istc Corporation,		Unknown	U		Defendant	Active
Jackson, James B		Unknown	U		Plaintiff	Active
Johnston, Ellis M III	Haynsworth Sinkler Boyd, PA P.O. Box 2048 Greenville SC				Defendant, Attorney	Active



	29602		
Pendarvis, Thomas A	PENDARVIS LAW OFFICES, 500 CARTERET ST, STE. A		Plaintiff Attorney Active
	BEAUFORT SC 29902		
Pinewood Park Apartments A Sc		Unknown U	Plaintiff Active
Pinewood Park Apartments A Sc		Unknown U	Defendant Active
Rawl, Mary Gasser		Unknown U	Plaintiff Active
Rentz, Rhoda G		Unknown U	Plaintiff Active
Tuck, N Barton Jr		Unknown U	Defendant Active
Us: Shelter Corporation		Unknown U	Defendant Active
USS Corporation		Unknown	Defendant Active
Vick, Calvin T Jr	HAYNESWORTH SINKLER BOYD, PO: BOX 2048, GREENVILLE		Defendant Attorney Active
	SC 29602		

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and
f/k/a USS Corporation a/k/a and f/k/a
U.S. Shelter Corporation; ISTC
Corporation; N. Barton Tuck, Jr.; and
John Doe, a generic designation for a
party or parties whose true identity is
unknown,

Defendants.

CONSOLIDATED CASES:

2005-CP-07-1990 (Beaufort) (Pinewood)
2005-CP-07-1989 (Beaufort) (Palmetto)
2005-CP-10-4229 (Charleston) (Orleans)
2005-CP-38-1131 (Orangeburg) (Roosevelt)

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

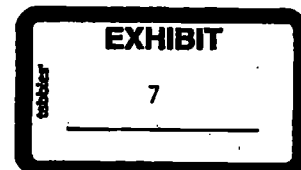
DOCUMENTS SERVED

1. PLAINTIFFS' SUPPLEMENTAL RESPONSES TO DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS DATED AUGUST 23, 2008.

COUNSEL SERVED

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, 3rd Floor
Charleston SC 29401



Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
January 26, 2009

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO. 2003-CP-07-726

Laurance H. Davis, Jr.; et al.;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and
f/k/a USS Corporation a/k/a and f/k/a
U.S. Shelter Corporation; ISTC
Corporation; N. Barton Tuck, Jr.; and
John Doe, a generic designation for a
party or parties whose true identity is
unknown,

Defendants.

CONSOLIDATED CASES:

2005-CP-07-1990 (Beaufort) (Pinewood)
2005-CP-07-1989 (Beaufort) (Palmetto)
2005-CP-10-4229 (Charleston) (Orleans)
2005-CP-38-1131 (Orangeburg) (Roosevelt)

CERTIFICATE OF SERVICE

I, Pamela D. Higgins, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

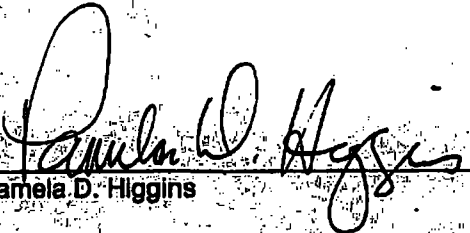
DOCUMENTS SERVED

1. PLAINTIFFS' DISCOVERY REQUESTS (DATED FEBRUARY 3, 2009).

COUNSEL SERVED

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
134 Meeting Street, 3rd Floor
Charleston SC 29401


Pamela D. Higgins

Beaufort, South Carolina
February 3, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.)
Parkview Apartments, a South Carolina)
Limited Partnership, et al., Defendants.)

) Beaufort County
) C.A. No. 2003-CP-07-726

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.)
Roosevelt Gardens, a South Carolina)
Limited Partnership, et al., Defendants.)

) Orangeburg County
) C.A. No. 2005-CP-38-1131

Rhonda G. Rentz, et al., Plaintiffs,)
v.)
Orleans Gardens, a South Carolina)
Limited Partnership, et al., Defendants.)

) Charleston County
) C.A. No. 2005-CP-10-4229

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.)
Palmetto Apartments, a South Carolina)
Limited Partnership, et al., Defendants.)

) Beaufort County
) C.A. No. 2005-CP-07-1989

Carolina Management Corporation of)
Beaufort, et al., Plaintiffs,)
v.)
Pinewood Park Apartments, a South)
Carolina Limited Partnership, et al.,)
Defendants.)

) Beaufort County
) C.A. No. 2005-CP-07-1990

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Documents Served

MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER GRANTING DEFENDANTS' MOTION TO COMPEL, DATED NOVEMBER 6, 2008

Counsel Served

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston SC 29401

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina

March 13, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Beaufort County
Parkview Apartments, a South Carolina	)	C.A. No. 2003-CP-07-726
Limited Partnership, et al., Defendants.)	

Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Orangeburg County
Roosevelt Gardens, a South Carolina	)	C.A. No. 2005-CP-38-1131
Limited Partnership, et al., Defendants.)	

Rhonda G. Rentz, et al., Plaintiffs,)	
v.	)	Charleston County
Orleans Gardens, a South Carolina	)	C.A. No. 2005-CP-10-4229
Limited Partnership, et al., Defendants.)	

Laurance H. Davis, Jr., et al., Plaintiffs,)	
v.	)	Beaufort County
Palmetto Apartments, a South Carolina	)	C.A. No. 2005-CP-07-1989
Limited Partnership, et al., Defendants.)	

Carolina Management Corporation of)	
Beaufort, et al., Plaintiffs,)	
v.	)	Beaufort County
Pinewood Park Apartments, a South	)	C.A. No. 2005-CP-07-1990
Carolina Limited Partnership, et al.,)	
Defendants.)	

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Documents Served

MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION TO ALTER OR AMEND ORDER ADOPTING FINDINGS AND CONCLUSIONS OF SPECIAL MASTER CLARY, DATED JUNE 2, 2009

Counsel Served

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross-Rosen, JD
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston SC 29401

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina

June 11, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Beaufort County
Parkview Apartments, a South Carolina) C.A. No. 2003-CP-07-726
Limited Partnership, et al., Defendants.)

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Orangeburg County
Roosevelt Gardens, a South Carolina) C.A. No. 2005-CP-38-1131
Limited Partnership, et al., Defendants.)

Rhonda G. Rentz, et al., Plaintiffs,)
v.) Charleston County
Orleans Gardens, a South Carolina) C.A. No. 2005-CP-10-4229
Limited Partnership, et al., Defendants.)

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Beaufort County
Palmetto Apartments, a South Carolina) C.A. No. 2005-CP-07-1989
Limited Partnership, et al., Defendants.)

Carolina Management Corporation of)
Beaufort, et al., Plaintiffs,)
v.) Beaufort County
Pinewood Park Apartments, a South) C.A. No. 2005-CP-07-1990
Carolina Limited Partnership, et al.,)
Defendants.)

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by e-mail and mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Documents Served

PLAINTIFFS' MEMORANDUM IN SUPPORT OF THEIR MOTION TO ALTER OR AMEND ORDER ADOPTING FINDINGS AND CONCLUSIONS OF SPECIAL MASTER CLARY, DATED JUNE 2, 2009

Counsel Served

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville SC 29602

Marvin D. Infinger, JD
Anne Ross Rosen, JD
HAYNSWORTH SINKLER BOYD, PA
134 Meeting Street, 3rd Floor
Charleston SC 29401

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina

July 2, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Beaufort County
Parkview Apartments, a South Carolina) C.A. No. 2003-CP-07-726
Limited Partnership, et al., Defendants.)

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Orangeburg County
Roosevelt Gardens, a South Carolina) C.A. No. 2005-CP-38-1131
Limited Partnership, et al., Defendants.)

Rhonda G. Rentz, et al., Plaintiffs,)
v.) Charleston County
Orleans Gardens, a South Carolina) C.A. No. 2005-CP-10-4229
Limited Partnership, et al., Defendants.)

Laurance H. Davis, Jr., et al., Plaintiffs,)
v.) Beaufort County
Palmetto Apartments, a South Carolina) C.A. No. 2005-CP-07-1989
Limited Partnership, et al., Defendants.)

Carolina Management Corporation of)
Beaufort, et al., Plaintiffs,)
v.) Beaufort County
Pinewood Park Apartments, a South) C.A. No. 2005-CP-07-1990
Carolina Limited Partnership, et al.,)
Defendants.)

CERTIFICATE OF SERVICE

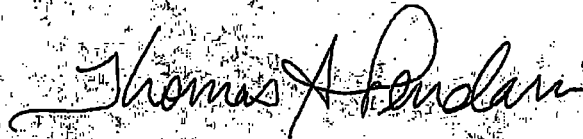
I, Thomas A. Pendarvis, counsel for Plaintiffs in the above-referenced matters, hereby certify that I have served the documents listed below upon all counsel of record by hand-delivery on August 24, 2009:

Documents Served

PLAINTIFFS' SECOND SUPPLEMENTAL RESPONSES TO DEFENDANTS' DISCOVERY REQUESTS TO ALL PLAINTIFFS DATED AUGUST 28, 2008.

Counsel Served

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
HAYNSWORTH SINKLER BOYD, PA
PO Box 2048
Greenville SC 29602



Thomas A. Pendarvis, J.D.

Beaufort, South Carolina

August 24, 2009

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1989

Lawrence H. Davis, Jr.; Marvin D. McCarthy; James W. Ivey; and Erin E. Ivey, individually and in their capacities, as the Limited Partners of Palmetto Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Palmetto Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION FOR RELIEF FROM JULY 28, 2009 ORDER AMENDING COURT'S ORDER DATED JUNE 2, 2009.

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
January 28, 2010

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2003-CP-07-0726

Laurance H. Davis, Jr.; Mary Jane R. Pike; Eva Marie Reynolds; and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Parkview Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION FOR RELIEF FROM JULY 28, 2009 ORDER AMENDING COURT'S ORDER DATED JUNE 2, 2009

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
January 28, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhonda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown.

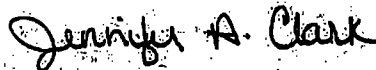
Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD.
Calvin T. Vick, Jr., JD.
Jesse C. Belcher, Jr., JD.
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION FOR RELIEF FROM JULY 28, 2009 ORDER AMENDING COURT'S ORDER DATED JUNE 2, 2009



Jennifer A. Clark

Beaufort, South Carolina
January 28, 2010

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT
CASE NO. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhona G. Rentz,
Mortimer M. Weinberg, Jr., Hodge Land
Co., Inc. And Anna Trotter, individually
and in their capacities as the Limited
Partners of Roosevelt Gardens, a South
Carolina Limited Partnership;

Plaintiffs,

vs.

Roosevelt Gardens, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and f/k/a
USS Corporation a/k/a and f/k/a U.S.
Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a
generic designation for a party or parties
whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

2010 FEB 11 AM 10:20

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

ATTEST: COPY

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haysworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Jennifer A. Clark
CLERK OF COURT
COUNTY OF ORANGEBURG, SOUTH CAROLINA

Documents Served: MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION FOR RELIEF FROM JULY 28, 2009 ORDER AMENDING COURT'S ORDER DATED JUNE 2, 2009

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
January 28, 2010

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-10-4229

Rhonda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and Joanne O. Mercy, individually and in their capacities as the Limited Partners of Orleans Gardens, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Orleans Gardens, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: MOTION INFORMATION COVER SHEET and PLAINTIFFS' MOTION FOR RELIEF FROM JULY 28, 2009 ORDER AMENDING COURT'S ORDER DATED JUNE 2, 2009

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
January 28, 2010



PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS@PENDARVISLAW.COM

THOMAS A. PENDARVIS, J.D.
ADMITTED IN SC AND GA

TEL. 843.524.9500
FAX. 843.524.9501

February 10, 2010

TO WHOM IT MAY CONCERN:

Re: Order of Protection for Thomas A. Pendarvis

Enclosed please find an Order of Protection which has been filed with the Beaufort County Clerk of Court covering the time period of **July 23, 2010 through and including August 6, 2010.**

This correspondence is being sent to all counsel and pro se litigants involved in the attached referenced cases. Should you have any questions, please do not hesitate to contact me.

With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.

Thomas A. Pendarvis, J.D.

TAP/jac
Enclosure

cc: The Honorable Doyet A. Early, III
Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Adolph D. Brown

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SERIALIZED [] FILED []
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CIVIL RIGHTS DIVISION
CIVIL RIGHTS DIVISION
CIVIL RIGHTS DIVISION

Page 2
February 10, 2010

Drew A. Laughlin, JD
Glenn L. Capell, JD
Thomas E. Clarkson
Thomas & Judith Collentine
Weston Adams Law Firm
Kimberly D. Sutton, JD
Robert V. Mathison, Jr., JD
Denson H. Fraser, Jr., JD
James F. Berl, JD
Charles & Karen Gerba
William B. Harvey, III, JD
James Jack & Ernestine Wilson
John & Clare Jlinicki
Ward F. Borden, JD
Triece Ziblut, JD
Rogers Townsend & Thomas, PC
Selbels Law Firm, PA
Eric & Kelly Metzger
Charles Wiseman, JD
Michael F. Markowski
Ralph E. Tupper, JD
Michael Mogil, JD

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLEAS
COUNTY OF BEAUFORT) FOURTEENTH JUDICIAL CIRCUIT

ORDER OF PROTECTION FOR THOMAS A. PENDARVIS

This matter comes before me upon motion of Thomas A. Pendarvis seeking protection during the period **July 23, 2010 through and including August 6, 2010**, as such protection may relate to any pending cases in Beaufort County, including but not limited to the actions on the attachment hereto. It appearing that the grant of the requested protection is appropriate, and there being no objection from any counsel of record,

NOW, THEREFORE, IT IS ORDERED that Thomas A. Pendarvis is afforded protection during the period **July 23, 2010 through and including August 6, 2010** for these and all pending cases in Beaufort County, South Carolina; and,

IT IS SO ORDERED.



The Honorable Carmen T. Mullen
Administrative Judge
Fourteenth Judicial Circuit

Beaufort, SC

November 16, 2009

09 NOV 19 PM 4: 58
JENNIFER ROSENEAU
BEAUFORT COUNTY, SC.
CLERK OF COURT



PENDARVIS LAW OFFICES, P.C.
500 CARTERET STREET, SUITE A
BEAUFORT, SOUTH CAROLINA 29902-5066

THOMAS A. PENDARVIS, J.D.
ADMITTED IN SC AND GA

THOMAS@PENDARVISLAW.COM

TEL. 843.524.9500
FAX. 843.524.9501

February 10, 2010

TO WHOM IT MAY CONCERN:

Re: Order of Protection for Thomas A. Pendarvis

Enclosed please find an ORDER OF PROTECTION which has been filed with the Charleston County Clerk of Court covering the time period of **July 23, 2010 through and including August 6, 2010**. The following is a list of pending cases in which I am involved:

- | | | |
|----|--|---|
| 1. | CIVIL ACTION
CASE NO.
OPPOSING COUNSEL | Berrien W. Smith v. J. Drayton Hastie, Jr.,
2000-CP-10-3029
Richard Rosen, J.D.
Elizabeth Marlow, J.D. |
| 2. | CIVIL ACTION
CASE NO.
OPPOSING COUNSEL | Rivers Point Row Property Owners Association,
Inc. v John B. Hagerty, J.D., et al
2008-CP-10-6740
John A. Massalon, J.D. |
| 3. | CIVIL ACTION
CASE NO.
OPPOSING COUNSEL | Rhoda G. Rentz, et al v. Orleans Gardens, et al
2005-CP-10-4229
Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD |

Should you have any questions, please do not hesitate to contact me.

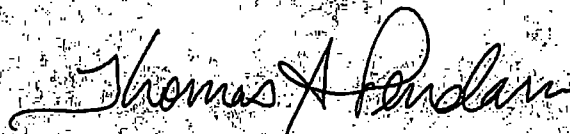
at Lloyd Bk.
 2/16/10
 11471.001D
 CTU, EHS, HGC, JL, MLLS

Page 2
February 10, 2010

With kind regards, I remain

Sincerely,

PENDARVIS LAW OFFICES, P.C.



Thomas A. Pendarvis, J.D.

TAP/jac
Enclosure

cc: The Honorable Doyet A. Early, III
Richard Rosen, JD
Elizabeth Marlow, JD
John A. Massalon, JD
Berrien Smith
Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD

FILED

2009 NOV 16 PM 4:35

JULIE J. ARMSTRONG
CLERK OF COURT

BY _____

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLAW
COUNTY OF CHARLESTON) NINTH JUDICIAL CIRCUIT

ORDER OF PROTECTION FOR THOMAS A. PENDARVIS

This matter comes before me upon motion of Thomas A. Pendarvis seeking protection during the period **July 23, 2010 through and including August 6, 2010**, as such protection may relate to any pending cases in Charleston County, including but not limited to the following actions:

- 1. CIVIL ACTION Berrien W. Smith v. J. Drayton Hastie, Jr.,
CASE NO. 2000-CP-10-3029
OPPOSING COUNSEL Richard Rosen, J.D.
Elizabeth Marlow, J.D.
- 2. CIVIL ACTION Rivers Point Row Property Owners
Association, Inc. v John B. Hagerty, J.D., et al
CASE NO. 2008-CP-10-6740
OPPOSING COUNSEL John A. Massalon, J.D.
- 3. CIVIL ACTION Rhoda G. Rentz, et al v. Orleans Gardens, et
al
CASE NO. 2005-CP-10-4229
OPPOSING COUNSEL Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD

It appearing that the grant of the requested protection is appropriate, and there being no objection from any counsel of record,

NOW, THEREFORE, IT IS ORDERED that Thomas A. Pendarvis is afforded protection during the period **July 23, 2010 through and including August 6, 2010** for these and all pending cases in Charleston County, South Carolina; and,

IT IS SO ORDERED.



The Honorable Debra L. Jefferson
Administrative Judge
Ninth Judicial Circuit

Charleston
Beaufort, SC
November 16, 2009

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A # 03-CP-07-726

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Roosevelt Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Orangeburg County
CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)
-vs-)
Orleans Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Charleston County
CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Palmetto Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A #2005-CP-07-1989

Carolina Management Corporation of)
Beaufort, *et al*, Plaintiffs,)
-vs-)
Pinewood Park Apartments, a South)
Carolina Limited Partnership, *et al*,)
Defendants.)

Beaufort County
C/A # 2005-CP-07-1990

CERTIFICATE OF MAILING

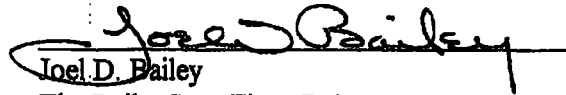
I hereby certify that I have served the Plaintiffs' Motion for Disclosure and Discovery and Motion for Protective Order, by depositing a copy in the United States Mail, postage prepaid, on February 22, 2010, addressed to the following attorneys of record:

Ellis M. Johnston, II
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Calvin T. Vick
PO Box 2048
Greenville, SC 29602

Anne Ross Rosen
134 Meeting Street, 3rd Floor
Charleston, SC 29401

A handwritten signature in black ink that reads "Joel D. Bailey". The signature is written in a cursive style and is underlined with a single horizontal line.

Joel D. Bailey
The Bailey Law Firm, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437

February 22, 2010

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT
CASE NO. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhoda G. Rentz,
Mortimer M. Weinberg, Jr., Hodge Land
Co., Inc. And Anna Trotter, Individually
and in their capacities as the Limited
Partners of Roosevelt Gardens, a South
Carolina Limited Partnership;

Plaintiffs,

vs.

Roosevelt Gardens, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and f/k/a
USS Corporation a/k/a and f/k/a U.S.
Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a
generic designation for a party or parties
whose true identity is unknown.

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF MOTION FOR DISCLOSURE & DISCOVERY

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
March 2, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

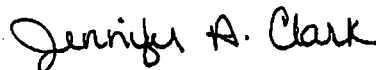
Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
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Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF MOTION FOR DISCLOSURE & DISCOVERY



Jennifer A. Clark

Beaufort, South Carolina
March 2, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1989

Lawrence H. Davis, Jr.; Marvin D. McCarthy; James W. Ivey; and Erin E. Ivey, individually and in their capacities as the Limited Partners of Palmetto Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Palmetto Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF MOTION FOR DISCLOSURE & DISCOVERY

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
March 2, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2003-CP-07-0726

Laurance H. Davis, Jr.; Mary Jane R. Pike; Eva Marie Reynolds; and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Parkview Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. BartonTuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

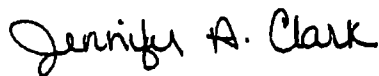
Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF MOTION FOR DISCLOSURE & DISCOVERY



Jennifer A. Clark

Beaufort, South Carolina
March 2, 2010

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-10-4229

Rhoda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and Joanne O. Mercy, individually and in their capacities as the Limited Partners of Orleans Gardens, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Orleans Gardens, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: PLAINTIFFS' REPLY MEMORANDUM IN SUPPORT OF MOTION FOR DISCLOSURE & DISCOVERY

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
March 2, 2010



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

510 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-525-6090
FAX: 843-525-6070

March 8, 2010

Fripp Island Golf & Beach Resort
201 Tarpon Boulevard
Fripp Island, SC 29920

RE: Laurance H. Davis, Jr., et al. vs. Parkview Apartments, et al.

Dear Sir or Madame:

Enclosed herewith please find a subpoena requesting inspection and copying of certain documents. It will not be necessary for you to appear at my office on March 19th, provided the documents are produced to me prior to that time.

If you have any questions, please do not hesitate to contact me.

With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey

JDB/shb
enclosure

cc: Ellis M. Johnston, II, Esquire (w/enclosure)
Marvin D. Infinger, Esquire (w/enclosure)
Calvin T. Vick, Esquire (w/enclosure)
Anne Ross Rosen, Esquire (w/enclosure)
Thomas A. Pendarvis, Esquire (w/enclosure)

Haynsworth Sinkler Boyd, P.A.

Date Recd 3/12/10

CM # 11471.0010

Docketed

IDL CTN, EMJ, HGC, SL, MJS

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

Laurance H. Davis, Jr., et al, Plaintiffs,)
-vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, et al, Defendants.)
_____)

IN THE COURT OF COMMON PLEAS

C/A # 03-CP-07-726

Beaufort County

CERTIFICATE OF MAILING

I, Joel D. Bailey, of THE BAILEY LAW FIRM, P.A., co-counsel for the Plaintiffs herein, do hereby certify that on the 18th day of March, 2010, I mailed a copy of the Plaintiffs' Fourth Supplemental Discovery Responses, via first class mail, postage pre-paid, the same being addressed to:

Ellis M. Johnston, II, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Calvin T. Vick, Esquire
Haynsworth Sinkler Boyd, P.A.
PO Box 2048
Greenville, South Carolina 29602

Marvin D. Infinger, Esquire
Haynsworth Sinkler Boyd, P.A.
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Anne Ross Rosen, Esquire
Haynsworth Sinkler Boyd, P.A.
134 Meeting Street, 3rd Floor
Charleston, SC 29401

THE BAILEY LAW FIRM, P.A.
P.O. Box 1437
Beaufort, South Carolina 29901-1437
843-525-6090

By: 
Joel D. Bailey

Beaufort, South Carolina
March 18, 2010

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A # 03-CP-07-726

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Roosevelt Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Orangeburg County
CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)
-vs-)
Orleans Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Charleston County
CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Palmetto Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A #2005-CP-07-1989

Carolina Management Corporation of)
Beaufort, *et al*, Plaintiffs,)
-vs-)
Pinewood Park Apartments, a South)
Carolina Limited Partnership, *et al*,)
Defendants.)

Beaufort County
C/A # 2005-CP-07-1990

CERTIFICATE OF MAILING

I hereby certify that I have served the Plaintiffs' Motions for Recusal and for Vacation of Prior Orders, by depositing a copy of the motions being filed in each of the above-captioned cases, in the United States Mail, postage prepaid, on March 31ST, 2010, addressed to the following:

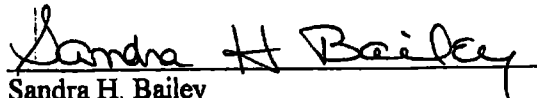
Ellis M. Johnston, II
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Calvin T. Vick
PO Box 2048
Greenville, SC 29602

Anne Ross Rosen
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Honorable Doyet A. Early, III
Post Office Box 90
Bamberg, South Carolina 29003-0090


Sandra H. Bailey
The Bailey Law Firm, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437

3-31, 2010



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

510 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-526-6090
FAX: 843-526-6070

April 7, 2010

Honorable Julie J. Armstrong
Charleston County Court of Common Pleas
100 Broad Street
Charleston, SC 29401

Re: Rhoda G. Rentz, et al. vs. Orleans Gardens, A South Carolina Limited Partnership, et al.
C/A # 05-CP-10-4229

Dear Ms. Armstrong:

Enclosed please find an affidavit of Laurance H. Davis, Jr. and affidavit of Joel D. Bailey, with attached exhibits, relating to the above-referenced matter. These affidavits are being submitted in support of Plaintiffs' Motion for Recusal and Vacation of Orders. I would appreciate you filing them at your earliest convenience.

Thank you for your assistance in this matter. With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey
JDB/sb
Enclosures

cc: Ellis M. Johnston, II, Esquire (w/enclosures)
Calvin T. Vick (w/enclosures)
Marvin D. Infinger (w/enclosures)
Anne Ross Rosen (w/enclosures)
Thomas A. Pendarvis (w/enclosures)
Honorable Doyet A. Early (w/enclosures)

cc: Marvin D. Infinger, Esq., P.A.

Date Filed 4/12/10

C/A # 11471.0010

Booked MCS Scanning

FILED CTV, EMJ, HGC, SL, MCS



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

610 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-525-6090
FAX: 843-525-6070

April 9, 2010

Honorable Julie J. Armstrong
Charleston County Court of Common Pleas
100 Broad Street
Charleston, SC 29401

Re: Rhoda G. Rentz, et al. vs. Orleans Gardens, A South Carolina Limited Partnership, et al.
C/A # 05-CP-10-4229

Dear Ms. Armstrong:

Enclosed please find affidavits of Rhoda G. Rentz and Mary Jane Pike with regard to the above-referenced matter. These affidavits are being submitted in support of Plaintiffs' Motion for Recusal and Vacation of Orders. I would appreciate you filing them at your earliest convenience.

Thank you for your assistance in this matter. With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey
JDB/sb
Enclosures

cc: ~~Ellis M. Johnston, II, Esquire (w/enclosures)~~
Calvin T. Vick (w/enclosures)
Marvin D. Infinger (w/enclosures)
Anne Ross Rosen (w/enclosures)
Thomas A. Pendarvis (w/enclosures)
Honorable Doyet A. Early (w/enclosures)

Hansword, Dinkie, Boyd, PA

Date Recd: 4/13/10

C/A # 11471-0000

Dispute: MLS to sea

cc: CTV, EMJ, AGC, SL, MS



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

510 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-525-6090
FAX: 843-525-6070

April 12, 2010

Honorable Winnifa B. Clark
Orangeburg County Court of Common Pleas
Post Office Box 9000
Orangeburg, SC 29116

Re: Laurance H. Davis, Jr., et al. vs. Roosevelt Gardens, A South Carolina Limited Partnership,
et al.
C/A # 05-CP-38-1131

Dear Ms. Clark:

Enclosed please find an affidavit of Miles Hodge with regard to the above-referenced matter. This affidavit is being submitted in support of Plaintiffs' Motion for Recusal and Vacation of Orders. I would appreciate you filing them at your earliest convenience.

Thank you for your assistance in this matter. With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey
JDB/sb
Enclosures

cc: Ellis M. Johnston, II, Esquire (w/enclosures)
~~Calvin T. Vick~~ (w/enclosures)
Marvin D. Infinger (w/enclosures)
Anne Ross Rosen (w/enclosures)
Thomas A. Pendarvis (w/enclosures)
Honorable Doyet A. Early (w/enclosures)

Haynsworth Sinkler Boyd, P.A.

Date Recd 4/15/10

C/M #: 11471-0010

Docketed

ID: CTN, EMJ, HGC, SL, MLS



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

610 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-525-6090
FAX: 843-525-6070

April 16, 2010

Honorable Doyet A. Early, III
Post Office Box 90
Bamberg, South Carolina 29003-0090

Re: Davis, et al. vs. Parkview Apartments Limited Partnership, et al. (C/A # 03-CP-07-726)
Rantz, et al. vs. Orleans Gardens, et al. (C/A # 05-CP-10-4229)
Davis, et al. vs. Palmetto Apartments, et al. (C/A # 05-CP-07-1989)
Carolina Management Corporation, et al. vs. Pinewood Park Apartments, et al.
(C/A # 05-CP-07-1990)

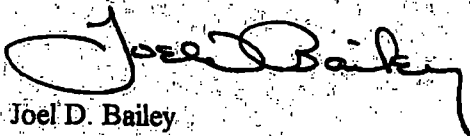
Dear Judge Early:

Enclosed please find copies of affidavits of Whaley Hinnant, Eva Marie Reynolds, and James & Erin Ivey, submitted in support of Plaintiffs' Motions for Recusal and Vacation of Prior Orders. These motions have been filed or sent for filing with the appropriate clerks of court.

By copy of this letter, I am serving opposing counsel of record with these affidavits.

Very truly yours,

THE BAILEY LAW FIRM, P.A.



Joel D. Bailey

JDB/lom
enclosures

cc: Ellis M. Johnston, II (w/enclosures)
Calvin T. Vick (w/enclosures)
Marvin D. Infinger (w/enclosures)
Anne Ross Rosen (w/enclosures)
Thomas A. Pendarvis (w/enclosures)

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A # 03-CP-07-726

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Roosevelt Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Orangeburg County
CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)
-vs-)
Orleans Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Charleston County
CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Palmetto Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A #2005-CP-07-1989

Carolina Management Corporation of)
Beaufort, *et al*, Plaintiffs,)
-vs-)
Pinewood Park Apartments, a South)
Carolina Limited Partnership, *et al*,)
Defendants.)

Beaufort County
C/A # 2005-CP-07-1990

CERTIFICATE OF MAILING

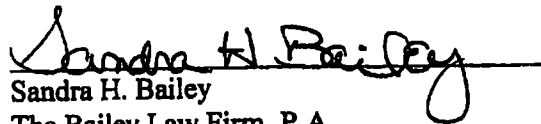
I hereby certify that I have served the Plaintiffs' Motion for Reconsideration, Alteration or Amendment, by depositing a copy in the United States Mail, postage prepaid, on April 22, 2010, addressed to the following attorneys of record:

Ellis M. Johnston, II
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Calvin T. Vick
PO Box 2048
Greenville, SC 29602

Anne Ross Rosen
134 Meeting Street, 3rd Floor
Charleston, SC 29401

A handwritten signature in black ink that reads "Sandra H. Bailey". The signature is written in a cursive style and is positioned above a horizontal line.

Sandra H. Bailey
The Bailey Law Firm, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437

April 21, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2003-CP-07-0726

Laurance H. Davis, Jr.; Mary Jane R. Pike; Eva Marie Reynolds; and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Parkview Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Parkview Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: AFFIDAVIT OF THOMAS A. PENDARVIS

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
April 22, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

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Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: AFFIDAVIT OF THOMAS A. PENDARVIS

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
April 22, 2010

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-07-1989

Lawrence H. Davis, Jr.; Marvin D. McCarthy; James W. Ivey; and Erin E. Ivey, individually and in their capacities as the Limited Partners of Palmetto Apartments, a South Carolina Limited Partnership;

Plaintiffs,

vs.

Palmetto Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: AFFIDAVIT OF THOMAS A. PENDARVIS

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
April 22, 2010

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2005-CP-10-4229

Rhoda G. Rentz, Mary Jane Pike, Eva Marie Reynolds, and Joanne O. Mercy, individually and in their capacities as the Limited Partners of Orleans Gardens, a South Carolina Limited Partnership;

Plaintiffs;

vs.

Orleans Gardens, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: AFFIDAVIT OF THOMAS A. PENDARVIS

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
April 22, 2010

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT
CASE NO. 2005-CP-38-1131

Laurance H. Davis, Jr., Rhoda G. Rentz,
Mortimer M. Weinberg, Jr., Hodge Land
Co., Inc. And Anna Trotter, individually
and in their capacities as the Limited
Partners of Roosevelt Gardens, a South
Carolina Limited Partnership;

Plaintiffs,

vs.

Roosevelt Gardens, a South Carolina
Limited Partnership; Apartment
Investment and Management Company
a/k/a AIMCO; Insignia Financial Group,
Inc.; AmReal Corporation a/k/a and f/k/a
USS Corporation a/k/a and f/k/a U.S.
Shelter Corporation; ISTC Corporation;
N. Barton Tuck, Jr.; and John Doe, a
generic designation for a party or parties
whose true identity is unknown,

Defendants.

CERTIFICATE OF SERVICE

I, Jennifer A. Clark, paralegal for Pendarvis Law Offices, PC, hereby certify that I have served the documents listed below upon all counsel of record by mailing a copy of same, postage prepaid and return address clearly indicated on said envelope, to said counsel at the following address:

Ellis M. Johnston, II, JD
Calvin T. Vick, Jr., JD
Jesse C. Belcher, Jr., JD
Haynsworth Sinkler Boyd, PA
PO Box 2048
Greenville SC 29602

Documents Served: AFFIDAVIT OF THOMAS A. PENDARVIS

Jennifer A. Clark

Jennifer A. Clark

Beaufort, South Carolina
April 22, 2010

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Parkview Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A # 03-CP-07-726

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Roosevelt Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Orangeburg County
CA # 2005-CP-38-1131

Rhoda G. Rentz, *et al*, Plaintiffs,)
-vs-)
Orleans Gardens, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Charleston County
CA # 2005-CP-10-4229

Laurance H. Davis, Jr., *et al*, Plaintiffs,)
-vs-)
Palmetto Apartments, a South Carolina)
Limited Partnership, *et al*, Defendants.)

Beaufort County
C/A #2005-CP-07-1989

Carolina Management Corporation of)
Beaufort, *et al*, Plaintiffs,)
-vs-)
Pinewood Park Apartments, a South)
Carolina Limited Partnership, *et al*,)
Defendants.)

Beaufort County
C/A # 2005-CP-07-1990

CERTIFICATE OF MAILING

I hereby certify that I have served the Affidavit of Joel D. Bailey dated May 5, 2010, by depositing a copy of the same being filed in each of the above-captioned cases, in the United States Mail, postage prepaid, on May 5, 2010, addressed to the following:

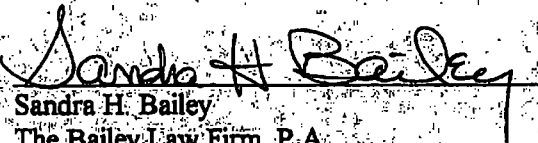
Ellis M. Johnston, II
PO Box 2048
Greenville, SC 29602

Marvin D. Infinger
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Calvin T. Vick
PO Box 2048
Greenville, SC 29602

Anne Ross Rosen
134 Meeting Street, 3rd Floor
Charleston, SC 29401

Honorable Doyet A. Early, III
Post Office Box 90
Bamberg, South Carolina 29003-0090


Sandra H. Bailey
The Bailey Law Firm, P.A.
PO Box 1437, 510 Ribaut Road
Beaufort, South Carolina 29901-1437

May 5, 2010

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Beaufort County
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010180088

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership, Appellants,

v.

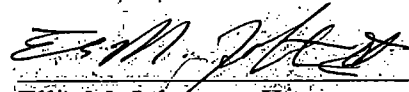
Pinewood Park Apartments, a South Carolina Limited Partnership, Apartment Investment and Management Company a/k/a AIMCO, Insignia Financial Group, Inc., AmReal Corporation a/k/a and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation, ISTC Corporation, N. Barton Tuck, Jr., and John Doe, a generic designation for a party or parties whose true identity is unknown, Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served counsel for the Appellants with a copy of *RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S, AND JESSE BELCHER'S MOTION PURSUANT TO S.C.A.C.R. 264* by mailing copies of the same by United States Mail with first class postage prepaid to the following addresses:

Thomas A. Pendarvis
Pendarvis Law Offices, P.C.
500 Carteret Street, Suite A
Beaufort, South Carolina 29902-5066

Joel D. Bailey
The Bailey Law Firm, P.A.
PO Box 1437
Beaufort, South Carolina 29901-1437



Ellis M. Johnston, II

March 8th, 2011
Greenville, South Carolina

GREENVILLE

CHARLESTON

COLUMBIA

FLORENCE

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

75 BEATTIE PLACE, 11TH FLOOR (29601-2119)
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GREENVILLE, SOUTH CAROLINA
TELEPHONE 864.240.3200
FACSIMILE 864.240.3300
WEBSITE www.hsblawfirm.com

ELLIS M. JOHNSTON, II
DIRECT DIAL NUMBER 864-240-3217
EMAIL ejohnston@hsblawfirm.com

March 8, 2011

RECEIVED

MAR 09 2011

SC Court of Appeals

VIA U.S. MAIL

The Honorable Tanya Gee
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Carolina Management Corporation of Beaufort, et al. v. Pinewood
Park Apartments, et al.*
Case No. 2010180088

Dear Ms. Gee:

With regard to the above-referenced matters, enclosed please find an original and six (6) copies of the *Respondents'*, *Marvin Infinger's*, *Anne Rosen's*, and *Jesse Belcher's Motion Pursuant To S.C.A.C.R. 264 and Proof of Service* for same with regard to the above-captioned appeal. I would appreciate your filing these at your earliest convenience and returning the additional enclosed copy, file-stamped to me in the self-addressed, stamped envelope.

With king regards, I remain

Very truly yours,

HAYNSWORTH SINKLER BOYD, P.A.



Ellis M. Johnston, II

EMJ,II:jmb
Enclosures

cc: Joel D. Bailey, Esquire
Thomas A. Pendarvis, Esquire



THE
BAILEY LAW FIRM

A PROFESSIONAL ASSOCIATION

510 RIBAUT ROAD

POST OFFICE BOX 1437 • BEAUFORT, SOUTH CAROLINA 29901-1437

EMAIL ADDRESS:
BAILEYLAWFIRM@CHARTER.NET

PHONE: 843-525-6090
FAX: 843-525-6070

March 16, 2011

RECEIVED

MAR 18 2011

Honorable Daniel E. Shearouse
South Carolina Supreme Court
PO Box 11330
Columbia, SC 29211

S.C. Supreme Court

RE: Carolina Management Corp. of Beaufort, et al. vs. Pinewood Park Apartments, et. al.
Case No. 2005-CP-07-1990

Dear Mr. Shearouse:

With regard to the above-referenced matter, enclosed for filing please find the original and six (6) copies of Appellants' Return to the Respondents' Motion Pursuant to SCACR 264. I understand that the Respondents filed this motion in the Court of Appeals last week; however, pursuant to Chief Justice Toal's order of March 9, 2011, we are filing our return with this Court. I am also enclosing the original proof of service.

I would appreciate you filing these documents in the above-referenced appeal at your earliest convenience. Thank you for your assistance with this matter.

With kindest regards, I am

Very truly yours,

THE BAILEY LAW FIRM, P.A.

Joel D. Bailey

JDB/shb
enclosures

cc: Ellis M. Johnston, II, Esquire (w/enclosures)
Calvin T. Vick, Jr., Esquire (w/enclosures)
Jesse C. Belcher, Jr., Esquire (w/enclosures)
Anne Ross Rosen, Esquire (w/enclosures)
Marvin D. Infinger, Esquire (w/enclosures)
Thomas A. Pendarvis, Esquire (w/enclosures)

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

MAR 18 2011

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

S.C. Supreme Court

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown. Respondents.


APPELLANTS' RETURN TO RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S AND JESSE BELCHER'S MOTION PURSUANT TO SCACR 264

It appears that the Respondents and their counsel wish to limit the roles of Mr. Infinger, Mr. Belcher and Ms. Rosen in this case to the proceedings which have taken place under Judge Early in the lower courts, and that their services are no longer needed now that the litigation has progressed to the appellate level. It also appears that the request of Mr. Infinger, Mr. Belcher and Ms. Rosen to be relieved as Respondents' counsel has been filed in both the lower courts and the appellate court. The Appellants are not opposed to their request to be relieved as counsel of record in either the lower courts or in the appellate court.

Respectfully submitted,

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By: 
Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

March 16, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
Calvin T. Vick, J.D.
Jesse C. Belcher, J.D.
HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 2048
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Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
Nexsen Pruettt, LLC
PO Box 486
Charleston SC 29402

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

RECEIVED

MAR 18 2011

S.C. Supreme Court

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

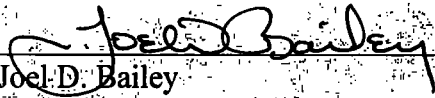
Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

PROOF OF SERVICE

I, Joel D. Bailey, of The Bailey Law Firm, P.A., certify that I have served one (1) copy of Appellants' Return to Respondents' Motion Pursuant to SCACR 264 on counsel for Respondents, by depositing a copy of the same in the United States Mail, postage prepaid, on the 16th day of March, 2011, the same being addressed to:

Ellis M. Johnston, II, J.D.
Calvin T. Vick, Jr., J.D.
Jesse C. Belcher, Jr., J.D.
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Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
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Joel D. Bailey

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Thomas@PendarvisLaw.com

Counsel for Appellants

March 16, 2011
Beaufort, South Carolina

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

APPELLANTS' RETURN TO RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S AND JESSE BELCHER'S MOTION PURSUANT TO SCACR 264

It appears that the Respondents and their counsel wish to limit the roles of Mr. Infinger, Mr. Belcher and Ms. Rosen in this case to the proceedings which have taken place under Judge Early in the lower courts, and that their services are no longer needed now that the litigation has progressed to the appellate level. It also appears that the request of Mr. Infinger, Mr. Belcher and Ms. Rosen to be relieved as Respondents' counsel has been filed in both the lower courts and the appellate court. The Appellants are not opposed to their request to be relieved as counsel of record in either the lower courts or in the appellate court.

Respectfully submitted,

THOMAS A. PENDARVIS (SC Bar # 064918)
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baileylawfirm@charter.net

By: 
Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

March 16, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
Calvin T. Vick, J.D.
Jesse C. Belcher, J.D.
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P.O. Box 2048
Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
Nexsen Pruettt, LLC
PO Box 486
Charleston SC 29402

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.


APPELLANTS' RETURN TO RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S AND JESSE BELCHER'S MOTION PURSUANT TO SCACR 264

It appears that the Respondents and their counsel wish to limit the roles of Mr. Infinger, Mr. Belcher and Ms. Rosen in this case to the proceedings which have taken place under Judge Early in the lower courts, and that their services are no longer needed now that the litigation has progressed to the appellate level. It also appears that the request of Mr. Infinger, Mr. Belcher and Ms. Rosen to be relieved as Respondents' counsel has been filed in both the lower courts and the appellate court. The Appellants are not opposed to their request to be relieved as counsel of record in either the lower courts or in the appellate court.

Respectfully submitted,

THOMAS A. PENDARVIS (SC Bar # 064918)
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By: 
Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

March 16, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
Calvin T. Vick, J.D.
Jesse C. Belcher, J.D.
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Greenville SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
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PO Box 486
Charleston SC 29402

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.


APPELLANTS' RETURN TO RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S AND JESSE BELCHER'S MOTION PURSUANT TO SCACR 264

It appears that the Respondents and their counsel wish to limit the roles of Mr. Infinger, Mr. Belcher and Ms. Rosen in this case to the proceedings which have taken place under Judge Early in the lower courts, and that their services are no longer needed now that the litigation has progressed to the appellate level. It also appears that the request of Mr. Infinger, Mr. Belcher and Ms. Rosen to be relieved as Respondents' counsel has been filed in both the lower courts and the appellate court. The Appellants are not opposed to their request to be relieved as counsel of record in either the lower courts or in the appellate court.

Respectfully submitted,

THOMAS A. PENDARIVS (SC Bar # 064918)
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By: 
Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

March 16, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
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Jesse C. Belcher, J.D.
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PO Box 486
Charleston SC 29402

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.

APPELLANTS' RETURN TO RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S AND JESSE BELCHER'S MOTION PURSUANT TO SCACR 264

It appears that the Respondents and their counsel wish to limit the roles of Mr. Infinger, Mr. Belcher and Ms. Rosen in this case to the proceedings which have taken place under Judge Early in the lower courts, and that their services are no longer needed now that the litigation has progressed to the appellate level. It also appears that the request of Mr. Infinger, Mr. Belcher and Ms. Rosen to be relieved as Respondents' counsel has been filed in both the lower courts and the appellate court. The Appellants are not opposed to their request to be relieved as counsel of record in either the lower courts or in the appellate court.

Respectfully submitted,

THOMAS A. PENDARVIS (SC Bar # 064918)
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By:


Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

March 16, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
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Jesse C. Belcher, J.D.
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Greenville, SC 29602

Marvin D. Infinger, J.D.
Anne Ross Rosen, J.D.
Nexsen Pruetz, LLC
PO Box 486
Charleston SC 29402

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2005-CP-07-1990

Carolina Management Corporation of Beaufort, James B. Jackson, Whaley R. Hinnant, Jr., Mary Gasser Rawl and Rhoda G. Rentz, individually and in their capacities as the Limited Partners of Pinewood Park Apartments, a South Carolina Limited Partnership. Appellants,

vs.

Pinewood Park Apartments, a South Carolina Limited Partnership; Apartment Investment and Management Company a/k/a AIMCO; Insignia Financial Group, Inc.; AmReal Corporation a/ka and f/k/a USS Corporation a/k/a and f/k/a U.S. Shelter Corporation; ISTC Corporation; N. Barton Tuck, Jr.; and John Doe, a generic designation for a party or parties whose true identity is unknown Respondents.


APPELLANTS' RETURN TO RESPONDENTS', MARVIN INFINGER'S, ANNE ROSEN'S AND JESSE BELCHER'S MOTION PURSUANT TO SCACR 264

It appears that the Respondents and their counsel wish to limit the roles of Mr. Infinger, Mr. Belcher and Ms. Rosen in this case to the proceedings which have taken place under Judge Early in the lower courts, and that their services are no longer needed now that the litigation has progressed to the appellate level. It also appears that the request of Mr. Infinger, Mr. Belcher and Ms. Rosen to be relieved as Respondents' counsel has been filed in both the lower courts and the appellate court. The Appellants are not opposed to their request to be relieved as counsel of record in either the lower courts or in the appellate court.

Respectfully submitted,

THOMAS A. PENDARIVS (SC Bar # 064918)
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baileylawfirm@charter.net

By: 
Joel D. Bailey (SC Bar # 471)
Counsel for Appellants

March 16, 2011
Beaufort, South Carolina

OTHER COUNSEL OF RECORD:

Ellis M. Johnston, Jr., J.D.
Calvin T. Vick, J.D.
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