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THE STATE OF SOUTH CAROLINA RECEIVED
In the Court of Appeals

APR 06 2015

APPEAL FROM BERKELEY COUNTY SC Court of Appeals
Court of Common Pleas
The Honorable Kristi L. Harrington, Circuit Court Judge

Case No. 2014-CP-08-1840

BP Amoco Chemical CompanyPlaintiff/Appellant,

v.

City of Charleston; Tract 7, LLC; Cainhoy Land & Timber, LLC; and Southern Timber, LLC Defendants,

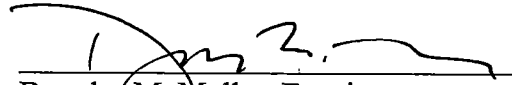
Of whom Cainhoy Land & Timber, LLC and Southern Timber, LLC are..... Respondents.

NOTICE OF APPEAL

BP Amoco Chemical Company ("Appellant"), appeals the Order of the Honorable Kristi L. Harrington dated November 14, 2014 (the "Order") and the Form Order denying Appellant's Motion for Reconsideration dated March 3, 2015 (the "Form Order"), which granted a Motion to Dismiss filed by Cainhoy Land & Timber, LLC and Southern Timber, LLC ("Respondents"). Appellant received written notice of the entry of the Final Order on November 14, 2014. On November 24, 2014, Appellant timely filed a Motion for Reconsideration of the Order pursuant to Rule 59 of the South Carolina Rules of Civil Procedure. On March 3, 2015, the Honorable Kristi L. Harrington issued

the Form Order denying Appellant's Motion for Reconsideration.¹ Appellant received written notice of the entry of the Form Order on March 5, 2015.

April 1, 2015



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Attorneys for Appellant BP Amoco
Chemical Company

Other Counsel of Record:

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Barnwell Whaley Patterson & Helms, LLC
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Attorneys for the Respondents Cainhoy Land & Timber, LLC and Southern Timber, LLC
and Defendant Tract 7, LLC

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Charleston, South Carolina 29401
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Attorneys for the City of Charleston

¹ The Order and the Form Order are attached hereto as required by South Carolina Appellate Court Rule 203(d)(2)(B).

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City of Charleston; Tract 7, LLC; Cainhoy Land & Timber, LLC; and Southern Timber, LLC Defendants,

Of whom Cainhoy Land & Timber, LLC and Southern Timber, LLC are..... Respondents.

PROOF OF SERVICE

This is to certify that I have this day served counsel for the Defendants and Respondents in the foregoing matter with a copy of the foregoing *Notice of Appeal* by depositing same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

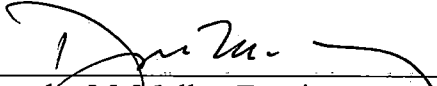
M. Dawes Cooke, Jr., Esquire
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Attorneys for the Respondents Cainhoy Land & Timber, LLC and Southern Timber, LLC and Defendant Tract 7, LLC

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Attorneys for Appellant BP Amoco
Chemical Company

Moore & Van Allen

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SC Court of Appeals

April 1, 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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Columbia, South Carolina 29201

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**Re: BP Amoco Chemical Company v. City of Charleston, et al.
Lower Court Case No. 2014-CP-08-1840
MVA file No. 039124.2**

Dear Ms. Kitchings:

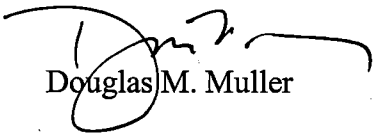
Enclosed for filing please find the original and one (1) copy of a Notice of Appeal in the above referenced matter. I am filing a copy of the Notice and this letter with the Berkeley County Court of Clerk of Court, and I am enclosing a check in the amount of \$100.00 for the requisite filing fee. Please file the original and return a file stamped copy in the self-addressed envelope provided.

By copy of this letter, I am serving all counsel of record with a copy of the same.

Thank you for your assistance in this matter.

Sincerely,

Moore & Van Allen PLLC

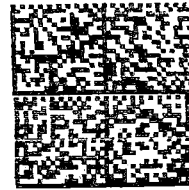

Douglas M. Muller

DMM/hm

Enclosures: as stated

cc: Charlton de Saussure, Jr., Esquire
Frances I. Cantwell, Esquire
M. Dawes Cooke, Jr., Esquire
D. Summers Clarke, II, Esquire
Berkeley County Clerk of Court

Charlotte, NC
Research Triangle Park, NC
Charleston, SC



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04/01/2015

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SC Court of Appeals

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546/039124.2

