

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Gordon G. Cooper, Master in Equity

Appellate Case No. 2015-000157
Lower Court Case No. 2010-CP-42-4430

Wells Fargo Bank, N A., successor-by-merger to
Wachovia Bank, N.A., Respondent, Respondent,

v.

Fallon Properties South Carolina, LLC, Timothy R. Fallon,
Susan C. Fallon, Fallon Luminous Products Corporation,
G. E. Business Capital Corporation, formerly Transamerica
Business Capital Corporation, FSD Repurchase Solutions, LLC,
and South Carolina Department of Revenue, Defendants,

OF WHOM Fallon Properties South Carolina, LLC,
Timothy R. Fallon, and Susan C. Fallon are Appellants.


AFFIDAVIT OF WEYMAN C. CARTER

PERSONALLY APPEARED BEFORE ME, Weyman C. Carter, who first being duly sworn, does
depose and state as follows:

1. The email message that I received from Sharon Winstead of the Spartanburg County Equity
Court transmitting copies of the signed, filed Order and Form 4 shows that it was sent on
December 15, 2014 at 2:48 p.m. Opposing counsel Mr. Pillsbury was copied on the
message.

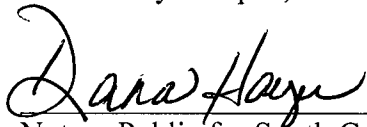
2. I was at my desk when the message arrived. I opened and read the message promptly upon receiving it.
3. I sent a "reply to all" response to the message to acknowledge receipt; the text of my response read simply "Thank you", followed by my signature block.
4. My reply was dated December 15, 2014 at 2:56 p.m., which was less than ten minutes after Ms. Winstead sent her message to trial counsel.
5. A copy of my reply, which also reflects the transmittal message from court staff and the previous messages in the string, is attached to this Affidavit.

FURTHER AFFIANT SAYETH NOT.



Weyman C. Carter

Sworn to and subscribed before me
this 6th day of April, 2015



Notary Public for South Carolina (Seal)
My Commission Expires: 1/20/20

MCNAIR
ATTORNEYS

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SC Court of Appeals

April 8, 2015

Robert L. Widener
SC Bar No. 6089

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Via Courier

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Wells Fargo Bank, N.A. v. Fallon Properties South Carolina, LLC, et al.,
Of Whom Fallon Properties South Carolina, LLC; Timothy R. Fallon,
Susan C. Fallon are Appellants
Appellate Case No. 2015-000157

Dear Ms. Kitchings:

On April 6, 2015, Respondent filed its Reply to Return to Motion to Dismiss Appeal. Due to time constraints, a copy of an affidavit that is part of Exhibit A was filed with the Reply. We are now filing the original Affidavit.

Please contact me if you have any questions regarding this matter.

Thank you for your assistance in this matter.

Respectfully yours,

McNAIR LAW FIRM, P.A.



Robert L. Widener

RLW/as
Enclosures

cc: Alexander Hray Jr. (*via email only*)

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