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STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Case No. 2008-CP-23-3665

RECEIVED

JUL 10 2015

SC Court of Appeals

Edward W. Miller, Circuit Court Judge

APPELLATE CASE NO. 2013-002676

William F. Tomz and Francis W. Tomz, Individually
and as Class Representatives, Respondents.

v.

Capital Investment Funding, LLC, and Arthur M. Field, Defendants, Of Whom Capital
Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, is Respondent, and
Arthur M. Field is the Appellant.

**MOTION TO INTERVENE BY CAPITAL INVESTMENT FUNDING, LLC, BY
AND THROUGH ITS RECEIVER, JERRY T. SAAD, AS RESPONDENT**


Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, hereby
moves before the South Carolina Court of Appeals to intervene in the above referenced
matter as a Respondent in the appeal. This Motion is made by the undersigned, George
Brandt, III, as attorney for Capital Investment Funding, LLC, by and through its Receiver,
Jerry T. Saad. The grounds of this Motion are that Capital Investment Funding, LLC, by and
through its Receiver, Jerry T. Saad, joined in the request for the Order and Rule to Show
Cause filed in this matter on August 19, 2013, which resulted in the Order of The Honorable

Edward M. Miller, which held the Appellant Arthur M. Field in contempt of Court. This appeal is from Judge Miller's Order and Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, is properly designated as a Respondent in this appeal, along with the Respondents William F. Tomz and Francis W. Tomz, Individually and as Class Representatives, who are represented by attorney Stanley T. Case.

The undersigned counsel participated in the hearing held in this matter on September 17, 2013 and participated in the hearing which resulted in the settlement of the record.

Accordingly, the undersigned counsel, on behalf of Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, does hereby make this Motion to intervene and to be designated as an additional Respondent in this appeal. Based on the foregoing, the undersigned requests that the Court issue its Order designating Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, as a Respondent and directing that the case caption will be as is set forth in this Motion.

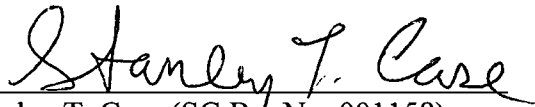
Respectfully submitted,



George Brandt, III (SC Bar No. 00855)
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360 E. Henry St., Suite 101
Spartanburg, SC 29302
Office: 864-583-5144
Facsimile: 864-582-2927
gbrandt@hbvlaw.com
Attorney for Capital Investment Funding, LLC,
by and through its Receiver, Jerry T. Saad

July 9, 2015

I SO CONSENT on this 9 day of July, 2015.



Stanley T. Case (SC Bar No. 001158)
BUTLER, MEANS, EVINS & BROWN, P.A.
P.O. Drawer 451
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scase@butlermeans.com
Attorney for Respondents, William F. Tomz
and Francis W. Tomz, Individually and as
Class Representatives

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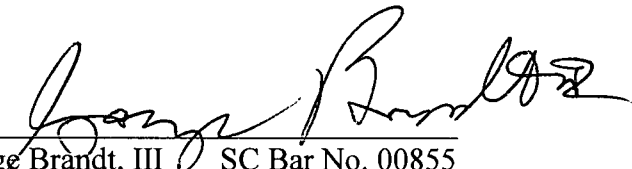
PROOF OF SERVICE

I, the undersigned attorney for Respondent Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, do hereby certify that I have served the South Carolina Court of Appeals with one original and 7 copies of the **MOTION TO INTERVENE BY CAPITAL INVESTMENT FUNDING, LLC, BY AND THROUGH ITS RECEIVER, JERRY T. SAAD, AS RESPONDENT**, by UPS overnight service, to her address shown below, and have served a copy of the aforementioned Motion on Bradford N. Martin, Esquire and Laura W. H. Teer, Esquire, attorneys for Appellant Arthur M. Field, and a copy to Stanley T. Case, Esquire, attorney for Respondents William F. Tomz and Francis W. Tomz, Individually and as Class Representatives, by United States First Class Mail to their respective addresses (B. and C.) shown below:

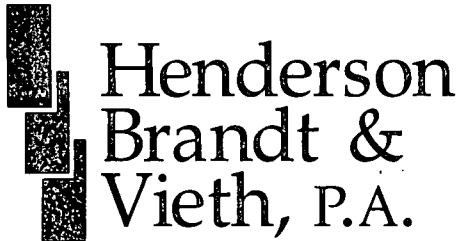
A. The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate St.
Columbia, SC 29201

B. Bradford N. Martin, Esquire
Laura W. H. Teer, Esquire
Bradford N. Martin & Associates, PA
P.O. Box 10410
Greenville, SC 29603

C. Stanley T. Case, Esquire
BUTLER, MEANS, EVINS & BROWN, P.A.
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By: 
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July 9, 2015



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Attorneys At Law

July 9, 2015

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
1015 Sumter St.
Columbia, SC 29201

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RE: William Tomz et al v. Capital Investment Funding, LLC et al
Appellate Case No. 2013-002676

Dear Ms. Kitchings:

Enclosed please find the following:

- (a) An original and seven copies of the Motion of my client, Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad
- (b) An original and two copies of the Proof of Service on all counsel
- (c) A stamped, self-addressed envelope.

Assuming you find the attached to be satisfactory, I would appreciate your filing the above documents and returning to me a clocked copy of the Motion and the Proof of Service for my records. For your convenience, I have enclosed a return envelope for your use. By copy of this letter, as indicated by the attached Proof of Service, I am serving a copy of the attached upon the attorneys for all parties. Please do not hesitate to contact me if you have any questions or need additional information.

Very truly yours,

George Brandt, III
For: HENDERSON, BRANDT & VIETH, P.A.
Direct Line: 864-583-5144
Fax Line: 864-582-2927
E-Mail: gbrandt@hbvllaw.com

GB,III/msl

Enclosures

cc: Bradford N. Martin, Esquire
Laura W. H. Teer, Esquire
Stanley T. Case, Esquire