

70719

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

JUL 24 2015

The Honorable Stephanie P. McDonald, Circuit Court Judge

SC Court of Appeals

Case No. 2010-CP-10-10490

I'On Assembly, Inc., Brad J. Walbeck, and Lea Ann Adkins, individually and derivatively
on behalf of I'On Assembly, Inc.,

Respondents,

v.

The I'On Company, LLC, The I'On Club, LLC, The I'On Group, LLC f/k/a Civitas, LLC,
and I'On Realty, LLC,

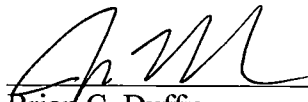
Appellants.

NOTICE OF APPEAL

The I'On Company, LLC, The I'On Club, LLC, The I'On Group, LLC f/k/a Civitas, LLC, and I'On Realty, LLC appeal the following orders of the Honorable Stephanie P. McDonald entered in Civil Action No. 2010-CP-10-10490:

1. The order filed September 30, 2014 denying, in part, Appellants' motion for set off.
2. The order filed July 16, 2015 denying Appellants' motion for judgment notwithstanding the verdict, motion for a new trial absolute, and motion for new trial *nisi remittitur*.
3. The order filed July 16, 2015 declaring the 2000 Recreational Easement invalid.
4. The order filed July 16, 2015 granting Respondent Brad Walbeck's petition for attorneys' fees.
5. The order filed July 16, 2015 denying Appellant I'On Company, LLC's petition for attorneys' Fees and costs.
6. The order filed July 16, 2015 finding Appellants in contempt for the destruction of evidence.

On October 9, 2014, Appellants received notice of the order filed September 30, 2014 and filed a Notice of Appeal on October 30, 2014. The appeal was dismissed by order of the court on November 18, 2014 and remanded to the circuit court for consideration of the other post-trial motions under advisement at that time. Appellants received notice of all other orders on July 15, 2015.



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Attorneys for Appellants

July 20, 2015

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individually and derivatively on behalf of I'On Assembly, Inc.*

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Attorneys for Respondent I'On Assembly, Inc.

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Appellants.

PROOF OF SERVICE

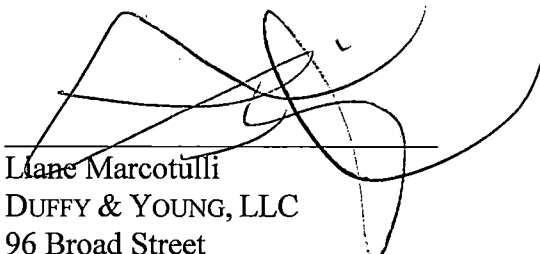
I, Liane Marcotulli, paralegal for Duffy & Young, LLC, certify that I have served the
NOTICE OF APPEAL on Respondents and Defendants by U.S. mail on July 20, 2015 by
depositing a copy of it to their attorneys of record as shown below:

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ATTORNEYS AT LAW

July 20, 2015

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SC Court of Appeals

VIA U.S. MAIL

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: I'On Assembly, Inc., et al. v. The I'On Company, LLC, et al.
Civil Aciton No.: 2010-CP-10-10490

Dear Ms. Kitchings:

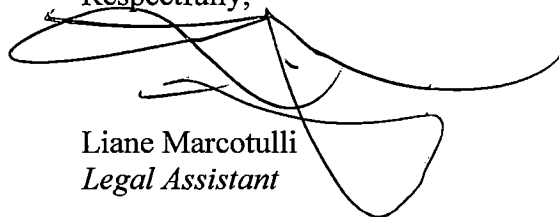
Enclosed for filing please find one original and one copy of a Notice of Appeal in the above-referenced matter. Also enclosed are the following:

- one original and one copy of the Proof of Service of the Notice of Appeal;
- two copies of each of the six Orders which are to be challenged on appeal; and
- a check in the amount of \$100 for payment of the associated filing fee.

Please file the originals and return the file-stamped copies to me in the enclosed self-addressed stamped envelope.

I appreciate your assistance in this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,



Liane Marcotulli
Legal Assistant

Enclosures

cc: Justin O. Lucey, Esq.
Joshua F. Evans, Esq.
Timothy W. Bouch, Esq.
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