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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

SEP 21 2015

SC Court of Appeals

Brian M. Gibbons, Circuit Court Judge

Case No. 2014-CP-10-569

William Huck and Diane Huck.....Plaintiffs/Respondents,

v.

Oakland Wings, LLC d/b/a Wild Wing Café,
Civil Site Environmental, Inc., Oakland
Properties, LLC, Chandler Construction
Services, Inc., and Avtex Commercial Properties,
Inc.....Defendants.

Of whom Avtex Commercial Properties, Inc. is.....Appellant.


NOTICE OF APPEAL

Avtex Commercial Properties, Inc. ("Appellant") appeals the following Orders (1) Order of the Honorable Brian M. Gibbons dated July 23, 2015 and filed on July 27, 2015, in which he denies the Motion of Avtex Commercial Properties, Inc.'s Motion to Disclose Settlement and For Set-Off, to which Appellant timely filed a Motion to Alter or Amend Judgment Pursuant to SCRCP 59(e) on August 7, 2015; and (2) Order of the Honorable Brian M. Gibbons Denying Motion to Alter or Amend Judgment Pursuant to SCRCP 59(e) issued by Judge Gibbons on August 14, 2015 and filed with the Court on August 18, 2015. The Notice of Entry of Judgment of the Order Denying Appellant's Motion to Alter or Amend that Judgment was received by counsel for Appellant on August 24, 2015. Attached are the July 23, 2015 Order Denying Appellant's Motion to Disclose Settlement and For Set-Off, the

August 14, 2015 Order of the Honorable Brian M. Gibbons Denying Motion to Alter or Amend Judgment Pursuant to SCRCP 59(e) and the Notice of Entry of Judgment of the Order Denying Appellant's Motion to Alter or Amend Judgment. Counsel for Plaintiffs/Respondents are listed below.

Respectfully submitted,

BARNWELL WHALEY
PATTERSON & HELMS, LLC



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D. Summers Clarke, II, Esquire
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*Attorneys for Defendants Oakland Wings,
LLC d/b/a Wild Wing Café and Oakland
Properties, LLC, and Appellant/Defendant
Avtex Commercial Properties, Inc.*

September 18, 2015

Other Counsel of Record:

Edward K. Pritchard, III, Esquire
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(843) 727-0307 Telephone
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Attorneys for Defendant Civil Site Environmental, Inc.

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Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

Case No. 2014-CP-10-569

William Huck and Diane Huck.....Plaintiffs/Respondents,

v.

Oakland Wings, LLC d/b/a Wild Wing Café,
Civil Site Environmental, Inc., Oakland
Properties, LLC, Chandler Construction
Services, Inc., and Avtex Commercial Properties,
Inc.....Defendants.

Of whom Avtex Commercial Properties, Inc. is.....Appellant.

PROOF OF SERVICE

I, the undersigned, of the law offices of Barnwell Whaley Patterson & Helms, LLC, attorneys for Appellant, do hereby certify that I have served all counsel in this action as well as the Charleston County Clerk of Court with a copy of the Appellant's Notice of Appeal herein below specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Edward K. Pritchard, III, Esquire
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*Attorneys for Defendant Civil Site
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The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, Suite 106
Charleston, SC 29401-2258



Susan B. Hatch, Paralegal

September 18, 2015



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SEP 21 2015

SC Court of Appeals

D. Summers Clarke, II
sclarke@Barnwell-Whaley.com

September 18, 2015

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: William and Diane Huck v. Oakland Wings, LLC d/b/a Wild Wing Café, Civil
Site Environmental, Inc., Oakland Properties, LLC, Chandler Construction
Services, Inc. and Avtex Commercial Properties, Inc.
Case No.: 2014-CP-10-569

Dear Ms. Kitchings:

Enclosed for filing are the original Notice of Appeal and one (1) copy in the above-
referenced case. I have also enclosed the following:

- (1) Proof of service of the Notice of Appeal on the Respondents;
(2) July 23, 2015 Order Denying Avtex Commercial Properties, Inc.'s Motion to
Disclose Settlement and For Set-Off; August 14, 2015 Order Denying Motion to
Alter or Amend Judgment Pursuant to SCRCP 59(e); and the Notice of Entry of
Judgment/Order; and
(3) A filing fee of \$100.

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M. Dawes Cooke, Jr.
B.C. Killough*
Randell C. Stoney, Jr.
Phillip S. Ferderigos
K. Michael Barfield
David S. Cox

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The Honorable Jenny Abbott Kitchings
Page Two
September 18, 2015

Please return a filed copy to me in the envelope provided. Thank you for your assistance.

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

Sincerely,

A handwritten signature in cursive script that reads "D. Summers Clarke, II".

D. Summers Clarke, II

DSCII/sbh

Enclosures

cc: Edward K. Pritchard, III, Esquire
W. Howard Boyd, Jr., Esquire
N. Keith Emge, Jr., Esquire
Kathy A. Carlsten, Esquire
The Honorable Julie J. Armstrong, Clerk of Court, Charleston County Circuit Court



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PATTERSON & HELMS LLC

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