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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J. C. Nicholson, Jr., Circuit Court Judge

Case No. 2015-CP-10-3660

RECEIVED
OCT 02 2015
SC Court of Appeals

Ex Parte Preservation Society of Charleston,

Appellant.

Beach Jasper, LLC and Beach Equity Investments, LLC,

Respondents,

v.

City of Charleston and City of Charleston Board of Architectural Review,

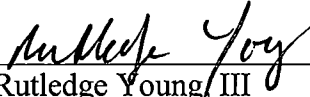
Respondents.

NOTICE OF APPEAL

Preservation Society of Charleston appeals the following orders of the Honorable J. C. Nicholson, Jr. entered in Civil Action No. 2015-CP-10-3660:

1. The order filed August 12, 2015 granting, in part, and denying, in part, Appellant's Motion to Intervene.
2. The order filed August 13, 2015 supplementing the order filed August 12, 2015.
3. The amended order filed September 2, 2015 clarifying the order of August 12, 2015.
4. The order filed September 29, 2015 denying Preservation Society of Charleston's Motion to Alter or Amend the Order of August 12, 2015.

Appellant received notice of the orders on various dates, with the most recent order received on September 29, 2015.



J. Rutledge Young, III
Julie L. Moore
Duffy & Young, LLC
96 Broad Street
Charleston, SC 29401
Attorneys for Appellant

September 30, 2015

Other Counsel of Record:

Richard S. Rosen, Esquire
Alice F. Paylor, Esquire
H. Brewton Hagood, Esquire
Rosen, Rosen & Hagood, LLC
151 Meeting Street, Suite 400
Charleston, SC 29401
Attorneys for Beach Jasper, LLC and Beach Equity Investments, LLC

Frances I. Cantwell, Esquire
City of Charleston Legal Department
50 Broad Street
Charleston, SC 29401
Attorneys for City of Charleston and City of Charleston Board of Architectural Review

John A. Massalon, Esquire
I. Ryan Neville, Esquire
Wills Massalon & Allen LLC
Post Office Box 859
Charleston, SC 29402
Attorneys for Charlestowne Neighborhood Association

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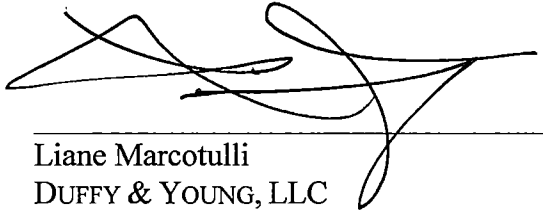
PROOF OF SERVICE

I, Liane Marcotulli, of Duffy & Young, LLC, certify that I have served Preservation Society of Charleston's **NOTICE OF APPEAL** on Respondents by U.S. mail on September 30, 2015 by depositing a copy of it to its attorneys of record as shown below:

Richard S. Rosen, Esquire
Alice F. Paylor, Esquire
H. Brewton Hagood, Esquire
Rosen, Rosen & Hagood, LLC
151 Meeting Street, Suite 400
Charleston, SC 29401
Attorneys for Beach Jasper, LLC and Beach Equity Investments, LLC

Frances I. Cantwell, Esquire
City of Charleston Legal Department
50 Broad Street
Charleston, SC 29401
Attorneys for City of Charleston and City of Charleston BAR

John A. Massalon, Esquire
I. Ryan Neville, Esquire
Wills Massalon & Allen LLC
Post Office Box 859
Charleston, SC 29402
Attorneys for Charlestowne Neighborhood Association



Liane Marcotulli
DUFFY & YOUNG, LLC
96 Broad Street
Charleston, South Carolina 29401
(843) 720-2044 (phone)
(843) 720-2047 (fax)
Paralegal

September 30, 2015
Charleston, South Carolina

DUFFY & YOUNG LLC

96 BROAD STREET, CHARLESTON SC 29401

telephone 843-720-2044 facsimile 843-720-2047

ATTORNEYS AT LAW

September 30, 2015

VIA U.S. MAIL

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

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OCT 02 2015

SC Court of Appeals

RE: Beach Jasper, LLC, et al. v. City of Charleston, et al.
Civil Action No.: 2015-CP-10-3660

Dear Ms. Kitchings:

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

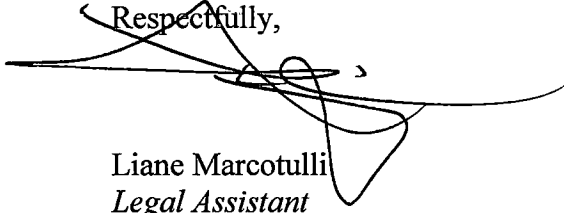
- one original and one copy of the Proof of Service of the Notice of Appeal;
- two copies of each of the four Orders which are to be challenged on appeal; and
- a check in the amount of \$100 for payment of the associated filing fee.

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

Historic Charleston Foundation ("HCF") requested a copy of the relevant hearing transcript from the court reporter on September 30, 2015. A copy of HCF's letter is attached.

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

lnarcotulli@duffyandyoung.com

WWW.DUFFYANDYOUNG.COM

The Honorable Jenny Abbott Kitchings
September 30, 2015
Page 2

cc: Richard S. Rosen, Esquire
Alice F. Paylor, Esquire
Frances I. Cantwell, Esquire
John A. Massalon, Esquire
I. Ryan Neville, Esquire

DUFFY & YOUNG LLC

96 BROAD STREET, CHARLESTON SC 29401

telephone 843-720-2044 facsimile 843-720-2047

ATTORNEYS AT LAW

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SC Court of Appeals

September 30, 2015

VIA U.S. MAIL

The Honorable Julie J. Armstrong
100 Broad Street
Charleston, South Carolina 29401

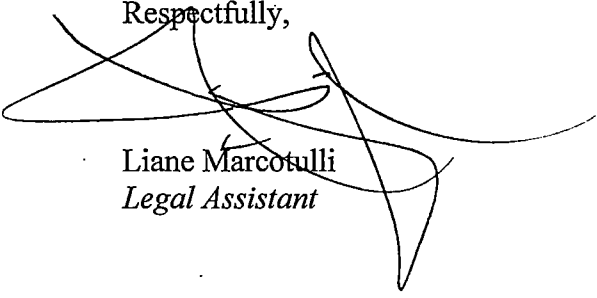
RE: Beach Jasper, LLC, et al. v. City of Charleston, et al.
Civil Action No.: 2015-CP-10-3660

Dear Ms. Armstrong:

Enclosed for filing in the above-matter, please find two (2) copies of the Preservation Society of Charleston's Notice of Appeal and two (2) copies of a Proof of Service regarding same. I would appreciate it if you would kindly return one (1) stamped copy of each document to us in the envelope provided.

Thank you in advance for your assistance. Please do not hesitate to contact me with any questions or concerns.

Respectfully,


Liane Marcotulli
Legal Assistant

Enclosures

cc: Richard S. Rosen, Esquire
Alice F. Paylor, Esquire
Frances I. Cantwell, Esquire
John A. Massalon, Esquire
I. Ryan Neville, Esquire

lmarcotulli@duffyandyoung.com

WWW.DUFFYANDYOUNG.COM

DUFFY & YOUNG LLC

96 BROAD STREET, CHARLESTON SC 29401

telephone 843-720-2044 facsimile 843-720-2047

ATTORNEYS AT LAW

September 30, 2015

VIA U.S. MAIL

Joyce C. Rueger
P.O. Box 1472
Johns Island, SC 29457

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Civil Action No.: 2015-CP-10-3660

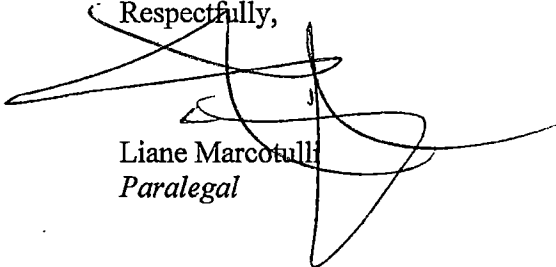
Dear Joyce:

On August 11, 2015, the Honorable J. C. Nicholson, Jr., Circuit Court Judge in Charleston County, heard various motions in the above-referenced matter. My records indicate that you were the court reporter for the hearing.

I write to request that you provide me with a transcript of the entire proceedings for the motions hearing.

I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR.

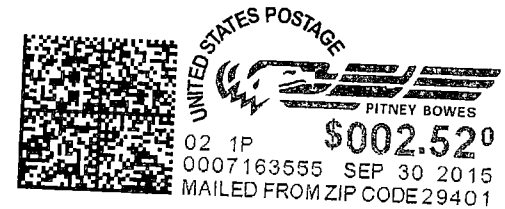
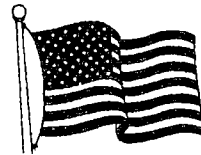
Respectfully,


Liane Marcotulli
Paralegal

cc: Richard S. Rosen, Esquire
Alice F. Paylor, Esquire
Frances I. Cantwell, Esquire
John A. Massalon, Esquire
I. Ryan Neville, Esquire
The Honorable Jenny Abbott Kitchings, Clerk of Court of Appeals
S.C. Court Administration

DUFFY & YOUNG LLC
96 BROAD STREET CHARLESTON, SC 29401

ATTORNEYS AT LAW



The Honorable **Jenny Abbott Kitchings**
South Carolina Court of Appeals
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