

STATE OF SOUTH CAROLINA

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IN THE COURT OF APPEALS

DEC 11 2015

Appeal from Charleston County
Court of Common Pleas
Mikell Scarborough, Master-in-Equity

SC Court of Appeals

Case No. 2010-CP-10-5449

Nathan Bluestein, Ettaleah Bluestein, M.D.,
Theodore Albenesius, III, and Karen Albenesius,

Appellants,

v.

Town of Sullivan's Island and Sullivan's Island Town Council,

Respondents.

NOTICE OF APPEAL

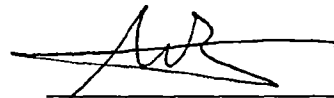
Nathan Bluestein, Ettaleah Bluestein, M.D., Theodore Albenesius, III, and Karen Albenesius appeal from the orders of the Master-in-Equity for Charleston County, the Honorable Mikell Scarborough, to whom the case was referred with finality by Order of Reference filed February 7, 2012, including:

1. Form 4 Order (granting Defendants motion for summary judgment), filed May 21, 2104;
2. Order Granting Summary Judgment to Defendants Regarding Plaintiffs Request for an Injunction Barring the Collection of Certain Property Tax, filed December 4, 2014;
3. Order Granting Summary Judgment to Defendants Regarding Breach of Contract by Accompanied by Fraudulent Act, filed December 4, 2014;

4. Order Granting Summary Judgment to Defendants Regarding Unfair Trade Practices Act Claim, filed December 4, 2014;
5. Order Granting Summary Judgment to Defendants based on Plaintiffs' Lack of Right to a View, filed July 30, 2015;
6. Order Granting Defendants' Motion to Strike Damages Claim Due to Location of OCRM Critical Line, filed July 30, 2015;
7. Form 4 Order, denying Plaintiffs' motion to reconsider, alter or amend, filed August 4, 2015;
8. Form 4 Order, denying Plaintiffs' motion for summary judgment on breach of contract, filed August 5, 2015;
9. Form 4 Order, denying Plaintiffs' motion for reconsideration, filed November 5, 2015; and
10. Order Granting Defendants' Motion for Summary Judgment on Plaintiffs' Nuisance, Breach of Contract, and Mandamus Claims, filed November 10, 2015, which ended the case.

The undersigned received written notice of entry of the final order ending the case on November 10, 2015.

Hood Law Firm, LLC



Robert H. Hood, Sr. (SC# 2599)
James B. Hood (SC #70212)
A. Walker Barnes (SC # 78485)
Deborah H. Sheffield, *Of Counsel* (SC #2757)
172 Meeting Street ~ P.O. Box 1508
Charleston, South Carolina 29402
Phone: (843) 577-4435
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Attorneys for the Appellants
Nathan Bluestein, Ettaleah Bluestein, M.D.,
Theodore Albenesius, III, and-
Karen Albenesius

December 8, 2015

Other Counsel of Record:

J. Brady Hair
Van Raalte, Derk IV (SC # 9286)
Law Offices of J. Brady Hair
2500 City Hall Lane (29406)
PO Box 61896
N. Charleston SC 29419
843-572-8700

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Attorneys for the Respondents

Certificate of Service

I, Walker Barnes, attorney for the Appellants do hereby certify that on December 8, 2015, I served a copy of the Notice of Appeal on Counsel for Respondents, via U.S. Mail, first class, postage prepaid to the following address:

Hair, J. Brady
Van Raalte, Derk IV (SC # 9286)
Law Office of Brady Hair
2500 City Hall Lane (29406)
PO Box 61896
N. Charleston SC 29419

I further certify that I filed a copy of the Notice of Appeal to the Clerk of the Court for Charleston on this same date at:

Julie Armstrong, Clerk
Charleston County – Court of Common Pleas
100 Broad Street, Suite 106
Charleston, South Carolina 29401-2258



A. Walker Barnes

December 8, 2015

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SC Court of Appeals

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

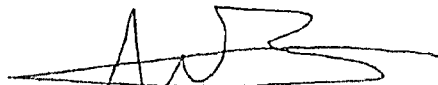
Re: Nathan Bluestein, Ettaleah Bluestein, M.D., Theodore Albenesius, III, and Karen Albenesius v. Town of Sullivan's Island and Sullivan's Island Town Council
C/A No. 2010-CP-10-5449
HLF File No. 625.002

Dear Ms. Kitchings:

On behalf of the Appellants Nathan Bluestein, Ettaleah Bluestein, M.D., Theodore Albenesius, III, and Karen Albenesius, we are presenting for filing a Notice of Appeal in the above referenced case. Also presented are copies of the orders from which appeal is taken and a \$100 check for the filing fee. The Notice of Appeal is being served via U.S. Mail to counsel of record for the Respondent, Judge Mikell Scarborough, and the Charleston County Clerk of Court for filing.

Kind regards,

Yours truly,



A. Walker Barnes

AWB/mdh
Enclosures

cc: The Honorable Mikell R. Scarborough
Ms. Julie J. Armstrong, Charleston County Clerk of Court
J. Brady Hair, Esquire



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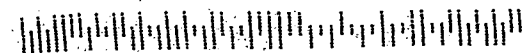
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Charleston, SC 29401

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