

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Marvin H. Dukes, III, Master-In-Equity

Case No. 2014-CP-07-136

RECEIVED

JAN 11 2016

SC Court of Appeals

78392

The Preserve at Indigo Run Owners' Association, Inc., and Susan Hoppe and Dale Hoppe, on behalf of Themselves and all others similarly situated.....Respondents,

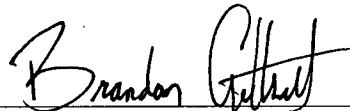
v.

Sterling Land Ventures, I, LTD a/k/a The Sterling Group; Sterling Development Corp.; Churchill Investments, LLC; Sterling Services, II, LLC a/k/a The Sterling Group; Sterling Group, Inc.; and Sterling Operating Partners, L.P.Appellants.

NOTICE OF APPEAL

Sterling Land Ventures, I, LTD a/k/a The Sterling Group; Sterling Development Corp.; Churchill Investments, LLC, Sterling Services, II, LLC a/k/a The Sterling Group; Sterling Group, Inc. and Sterling Operating Partners, L.P. (collectively "Appellants") appeal the October 13, 2015 Order of the Honorable Marvin H. Dukes, III, granting Respondents' Motion to Appoint a Receiver. The Order is an interlocutory order in a court of common pleas granting the appointment of a receiver and is immediately appealable pursuant to S.C. Code Ann. § 14-3-330. A copy of the Order is attached. Appellant received a written copy of the appealed order from the Court at the October 13, 2015 hearing on the Motion to Appoint a Receiver.

January 11, 2016



Everett A. Kendall, II
Brandon R. Gottschall
Post Office Box 12129
Columbia SC 29211
(803) 256-2233
Attorneys for Appellants

Other Counsel of Record:

Jesse A. Kirchner Esquire
Thurmond Kirchner Timbes & Yelverton, P.A.
15 Middle Atlantic Wharf, Suite 101
Charleston, SC 29401
Attorneys for Susan Hoppe and Dale Hoppe, et al

George E. Mullen, Esquire
Mullen Wylie, LLC
200 Merchant Street (29926)
Post Office Box 5969
Hilton Head Island, SC 29938
Attorneys for Susan Hoppe and Dale Hoppe, et al

Frank E. Grimball, Esquire
Mullen Wylie, LLC
P.O. Box 5969
200 Merchant St (29926)
Hilton Head Isle, SC 29938
Attorneys for Susan Hoppe and Dale Hoppe, et al

Glynn L. Capell, Esquire
The Capell Law Firm, LLC
18 Executive Park Road, Suite 4
Post Office Box 6628
Hilton Head Island, SC 29928
Attorneys for Susan Hoppe and Dale Hoppe, et al

William Weston Jones Newton, Esquire
Jones Simpson & Newton, PA
PO Box 1938
Bluffton, SC 29910
Attorneys for Board of Directors for the Preserve at Indigo Run

Karl S. Brehmer, Esquire
Brown & Brehmer Law Firm
1720 Main Street, Suite 201
Post Office Box 7966
Columbia, SC 29202
Attorneys for The Preserve at Indigo Run

William C. Clark, Esquire
Clark & Stevens, P.A.
60 Arrow Road
Post Office Box 7788
Hilton Head Island, SC 29938
Attorneys for Susan Hoppe and Dale Hoppe, et al

Paul E. Sperry, Esquire
Carlock Copeland & Stair, LLP
40 Calhoun Street, Suite 400
Charleston, SC 29401-3001
Attorneys for Eric B. Johnson and Hussey Gay Bell & Deyoung International, Inc.

R. Trippett Boineau, III, Esquire
McAngus, Goudelock & Courie, LLC
1320 Main Street, 10th Floor (29201)
Post Office Box 12519
Columbia, SC 29211-2519
Attorneys for Horizon, Inc.

Steve M. Pharr, Esquire
Pharr Law, PLLC
8 West 3rd Street, Suite 600
Winston Salem, NC 27101
Attorneys for Keenan Hopkins Schmidt & Stowell Contractors, Inc. d/b/a KHS&S

Dominic A. Starr, Esquire
McAngus, Goudelock & Courie, LLC
Post Office Box 1349
Myrtle Beach, SC 29578
Attorneys for Professional Plastering & Stucco, Inc. and Donnie M. King

J. Calhoun Watson, Esquire
Sowell, Gray, Stepp & Laffitte, LLC
1310 Gadsden Street (29201)
Post Office Box 11449
Columbia, SC 29211
Attorneys for Humphreys & Partners Architects, LP

Stacey Bailey Pharr, Esquire
Pharr Law, PLLC
8 West 3rd Street, Suite 600
Winston Salem, NC 27101
Attorneys for Kennan Hopkins Schmidt and Stowell Contractors, Inc.

S. Ross Shealy, Esquire
Haynesworth Sinkler Boyd, P.A.
1201 Main Street, Ste. 2200 (29201)
Post Office Box 11889
Columbia, SC 29211
Attorneys for Professional Plastering & Stucco, Inc. and Donnie M. King

John C. Bruton, Jr., Esquire
Haynsworth Sinkler & Boyd, P.A.
1201 Main Street, 22nd Floor
Post Office Box 11889
Columbia, SC 29211-1889
Attorneys for Professional Plastering & Stucco, Inc. and Donnie M. King

Jenny C. Honeycutt, Esquire
Best Honeycutt, P.A.
Post Office Box 13466
8 Sawgrass Road, Suite A (29412)
Charleston, SC 29422
Attorneys for Southern Roof and Wood Care Corporation

Tyler P. Winton, Esquire
Carlock Copeland & Stair, LLP
40 Calhoun Street, Suite 400
Charleston, SC 29401
Attorneys for Eric B. Johnson and Hussey Gay Bell & Deyoung International, Inc.

M. Dawes Cooke, Jr., Esquire
Barnwell, Whaley, Patterson & Helms, LLC
288 Meeting Street, Suite 200
Post Office Drawn H
Charleston, South Carolina 29402-0197
Attorneys for Southern Roof and Wood Care Corporation

Barbara J. Wagner, Esquire
Barnwell, Whaley, Patterson & Helms, LLC
288 Meeting Street, Suite 200
Charleston, South Carolina 29401
Attorneys for Southern Roof and Wood Care Corporation

Elizabeth F. Wieters, Esquire
Hall Booth Smith, P.C.
40 Calhoun Street, Suite 550
Charleston, SC 29401
Attorneys for Asuncion Mayorga Angeles

Alan R. Belcher, Jr., Esquire
Hall Booth Smith, PC
40 Calhoun St, Suite 550
Charleston, SC 29401
Attorneys for Asuncion Mayorga Angeles

Theodore Parker, III, Esquire
Parker Nelson & Associates
211 King Street, Suite 103
Charleston, SC 29401
Attorneys for A.D.R. Lathing & Stucco, Inc.

Jacqueline Dixon Phillips, Esquire
Parker Nelson & Associates
211 King Street, Suite 103
Charleston, SC 29401
Attorneys for A.D.R. Lathing & Stucco, Inc.

Kevin W. Mims, Esquire
Luzuriaga Mims, LLP
50 Immigration Street, Suite 200
Charleston, South Carolina 29403
Attorneys for Superior Framing Company, Inc.

Caroline C. McIntosh, Esquire
Luzuriaga Mims, LLP
50 Immigration Street, Suite 200
Charleston, South Carolina 29403
Attorneys for Superior Framing Company, Inc.

E. Glenn Elliott, Esquire
Aiken, Bridges, Elliott, Tyler & Saleeby, P.A.
181 East Evans Street, Suite 409
Post Office Drawer 1931
Florence, SC 29503
Attorneys for Forum Construction, Inc.

Leslie D. Sherrill, Esquire
Martineau King, PLLC
Post Office Box 31188
200 South College St, Ste 1550 (28202)
Charlotte, NC 28231
Attorneys for Magnum Angeles Framing/Asuncion Angeles

Elizabeth A. Martineau, Esquire
Martineau King PLLC
Post Office Box 31188
Charlotte, North Carolina 28202
Attorneys for Magnum Angeles Framing/Asuncion Angeles

Elizabeth Hall Freeman, Esquire
40 Calhoun Street, Suite 550
Charleston, SC 29401
Attorneys for Asuncion Mayorga Angeles

William H. Jordan, Esquire
Sowell, Gray, Stepp & Laffitte, LLC
1310 Gadsden Street
Post Office Box 11449
Columbia, SC 29211
Attorneys for Humphreys & Partners Architects, LP

F. Cordes Ford, IV, Esquire
Womble Carlyle Sandridge & Rice, PLLC
5 Exchange St
P.O. Box 999
Charleston, SC 29401
Attorneys for Forum Construction Group, Inc.

John Gatling-Hofler, III
P.O. Drawer 1931
Florence, SC 29503
Attorneys for Forum Construction, Inc.

Kent T. Stair, Esquire
Carlock, Copeland & Stair, LLP
40 Calhoun Street, Suite 400
Charleston, SC 29401-3001
Attorneys for Hussey Gay Bell & Deyoung, Inc.

Dana Woodrum Lang, Esquire
Womble Carlyle Sandridge & Rice, PLLC
5 Exchange St
P. O. Box 999
Charleston, SC 29492
Attorneys for Magnum Angeles Framing

Caroline C. McIntosh, Esquire
Luzuriaga Mims, LLP
50 Immigration Street
Suite 200
Charleston, South Carolina 29403
Attorneys for Superior Framing

Joseph S. McCue, Esquire
Collins & Lacy, P.C.
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, SC 29211
Attorneys for Southern Roof and Wood Care Corp

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Marvin H. Dukes, III, Master-In-Equity

Case No. 2014-CP-07-136

The Preserve at Indigo Run Owners' Association, Inc., and Susan Hoppe and Dale Hoppe, on behalf of Themselves and all others similarly situated.....Respondents,

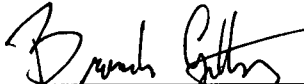
v.

Sterling Land Ventures, I, LTD a/k/a The Sterling Group; Sterling Development Corp.; Churchill Investments, LLC; Sterling Services, II, LLC a/k/a The Sterling Group; Sterling Group, Inc.; and Sterling Operating Partners, L.P.Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on The Preserve at Indigo Run Owners' Association, Inc., and Susan Hoppe and Dale Hoppe by depositing a copy of it in the United States Mail, postage prepaid, on October 13, 2015, addressed to their attorneys of record, George E. Mullen and Andrew J. Toney, Post Office Box 5969, Hilton Head Island; SC 29938, and Francis E. Grimball, 171 Church Street, Suite 370, Charleston, SC 29401.

January 11, 2016



Everett A. Kendall, II
Brandon R. Gottschall
Post Office Box 12129
Columbia SC 29211
(803) 256-2233
Attorneys for Appellants

RECEIVED

JAN 11 2016

SC Court of Appeals



SWEENEY WINGATE & BARROW P.A.
January 11, 2016

Reply to: Main Office

Brandon R. Gottschall
(803) 256-2233 x7132
brg@swblaw.com

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: The Preserve at Indigo Run Owners' Association and Hoppe, et al v. Sterling, et al
Civil Action No.: 2014-CP-07-0136
Our File: 1080-9225

Dear Ms. Kitchings:

Enclosed for filing please find the original and two copies of Appellant's Notice of Appeal, the Proof of Service on Respondent and a filing fee check in the amount of \$100.00. I would appreciate your filing the original and returning the clocked copies to me via our courier.

Should you have any questions or concerns, please do not hesitate to give me a call.

Yours truly,

SWEENEY, WINGATE & BARROW, P.A.

Brandon R. Gottschall

BRG/mha
Enclosures

VIA FIRST CLASS MAIL AND ELECTRONIC TRANSMISSION

cc: Jesse A. Kirchner Esquire
George E. Mullen, Esquire
Frank E. Grimball, Esquire
Glynn L. Capell, Esquire
William C. Clark, Esquire
William Weston Jones Newton, Esquire
Karl S. Brehmer, Esquire

VIA ELECTRONIC TRANSMISSION

cc: All counsel of record

RECEIVED

JAN 11 2016

SC Court of Appeals