

78851

The South Carolina Court of Appeals

Horry County State Bank, Respondent,

v.

Tommy Garland Lovett a/k/a Tommy G. Lovett,
a/k/a Tommy Lovett, Mary Lou Lovett,
Christopher Hybert Strickland and
Laurie A. Fissel-Brown, Defendants,

RECEIVED

Of whom, Tommy Garland Lovett a/k/a Tommy G. Lovett,
a/k/a Tommy Lovett and Mary Lou Lovett are Appellants

MAR 07 2016
SC Court of Appeals

Appellate Case No. 2015-001602

NOTICE OF MOTION AND MOTION FOR ADDITIONAL TIME TO FILE INITIAL BRIEF OF APPELLANT

The Appellant moves this Court for an extension of time until March 21, 2016, by which to file the Initial Appellant's Brief.

The Appellant's motion is based on the following grounds:

1. The Appellant's Initial Brief and Designation is due to be served on March 7, 2016 by virtue of a previous extension granted by the Court.
2. The parties have entered into settlement negotiations and the Respondent made an offer of settlement with a deadline of February 29, 2016. The parties have continued to negotiate the settlement of this case and are very close to completing the terms of the settlement (see attached).
3. The undersigned counsel believe that there is a very good opportunity to resolve this matter but the final terms have yet to be agreed upon and some additional documentation (lease agreement) is required before the settlement agreement can be finalized. As a result, the undersigned counsel believes that for judicial economy, and for economy of the parties, the parties should be

permitted time to settle this case prior to having to incur additional costs to file briefs.

4. The attorney for the Respondent consents to and joins in this motion.

WHEREFORE, the Appellant respectfully requests that Appellant be allowed additional time, through and including March 21, 2016, by which to file and serve their Initial Appellant's Brief and Designation.

I SO MOVE:

Pawleys Island, South Carolina
March 4, 2016

GUNDLING
LAW FIRM, P. A.

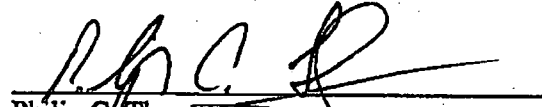


David J. Gundling
S.C. Bar #: 002361
Attorney for Appellant
Post Office Drawer 2547
Pawleys Island, SC 29585
Telephone: (843) 237-3400
Facsimile: (843) 237-0270

I CONSENT:

Conway, South Carolina
March 4, 2016

THOMPSON & HENRY, P.A.



Philip C. Thompson
S.C. Bar #: 11062
Attorney for Respondent
P.O. Box 1740
Conway, SC 29528
Telephone: (843) 248-5741

David Gundling

From: David Gundling
Sent: Friday, March 04, 2016 2:39 PM
To: 'Phil Thompson'; brad jung
Cc: Stephanie Hall
Subject: RE: HCSB v. Lovett

I am trying to get the lease agreement.

I want to protect the Lovetts on the appraisal issue since this is a critical item. If the appraiser is working for HCSB, I have a concern that they may produce a low number. What about if they have the right to their own appraiser if the value is less than the Horry County Tax FMV (\$24,900 on house and \$5,500 on adjoining lot).

Thanks!

David

DAVID J. GUNDLING, ESQ



P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: Phil Thompson [mailto:PTompson@thompsonlaw.com]
Sent: Friday, March 04, 2016 2:22 PM
To: David Gundling <DGundling@gundlinglaw.com>; brad jung <bradjung@msn.com>
Cc: Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

David,

See my responses below in CAPS and **bold** to your requests for clarifications.

Thanks,

Phil

Philip C. Thompson, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, 3rd Floor (29526)
P.O. Box 1740
Conway, South Carolina 29528
Tel. No. (843) 248-5741
Fax No (843) 248-6396
pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]
Sent: Friday, March 04, 2016 12:35 PM
To: Phil Thompson <PThompson@thompsonlaw.com>; brad jung <bradjung@msn.com>
Cc: Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

Phil and Brad: I spoke with my clients and they agree in principal to the terms with some clarifications as follows:

- 1) The Lovetts will settle the HCSB judgment for \$65,000 payable as follows:
 - a) A credit toward the \$65,000 in the amount of 90% of the appraised value of the Causey Road house (TMS 0010001009) and adjacent lot (TMS 0010001018); plus
 - b) The balance in cash payable within 30 days of the date the amount is determined.

AGREED

- 2) The Lovetts will deed the Causey Road property and adjoining lot to HCSB once Laurie A. Fissel-Brown releases any and all rights that she may have with respect to the house and the Contract for Deed and Laurie A. Fissel-Brown agrees to do so.

AGREED, PROVIDED THAT THE TITLE IS CLEAR, UNENCUMBERED, MARKETABLE, INSURABLE, FEE SIMPLE TITLE.

- 3) Upon final payment, HCSB will satisfy all judgments in North Carolina and South Carolina and the parties will dismiss any pending claims against the other with prejudice. The parties will also execute a mutual release.

AGREED

- 4) HCSB will provide the fair market value appraisal (not a quick sale appraisal) to the Lovetts (taking into consideration, if relevant, that the house is a rental property) and if the Lovetts have a concern about the FMV,

they will have 10 days to acquire their own appraisal at their cost. If the Lovetts believe that the appraisals are substantially different (as defined as more than 10% higher than the HCSB appraisal), the appraisers shall consult with each other to reach an agreed appraisal amount. If the appraisers cannot agree on an amount, the appraisers will agree on a third appraiser who shall review the competing appraisals and determine the appraisal amount, such determination shall be final. The cost of the third appraiser shall be shared by the parties.

HCSB WILL EMPLOY AN APPRAISER LISTED ON ITS APPROVED APPRAISER LIST TO DETERMINE THE FAIR MARKET VALUE AND PAY FOR THAT APPRAISAL. THAT APPRAISED VALUE WILL BE THE VALUE UPON WHICH THE 90% CREDIT TO THE \$65,000.00 SETTLEMENT REFERENCED IN (1)(a) ABOVE WILL BE BASED. NO EXCEPTIONS.

- 5) There is currently a tenant in the Causey Road house who has a school aged child. The tenants would like until June 30, 2016 to move from the house. All rentals that would accrue after the deed to the Causey Road house will be the property of HCSB.

TO RESPOND TO THIS, WE NEED A COPY OF THE WRITTEN LEASE. IF THERE IS NO WRITTEN LEASE, THEN WE NEED TO KNOW WHAT THE TERMS OF THE LEASE ARE.

- 6) Upon consummation of this agreement, by e-mails between attorneys for the parties, the Lovetts will inform the Court of Appeals that the appeal is being dismissed.

AGREED

Please review and contact me to discuss.

David

DAVID J. GUNDLING, ESQ



GUNDLING

LAW FIRM, P. A.

P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: Phil Thompson [mailto:PTompson@thompsonlaw.com]

Sent: Thursday, March 03, 2016 3:54 PM

To: David Gundling <DGundling@gundlinglaw.com>
Cc: Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

Thanks, David, and look forward to hearing from you.

And not that it matters, but I understand why T.G. doesn't get it. He's never gotten it. Every time I have talked to him or get information from him, he tells a different story about values, properties, etc. If that NC property was so valuable, seems like to me he would have had no problem selling it. With regard to the SC properties:

- (1) The residence is only exempt up to the statutory amount, which is \$58,225.00 per owner up until July 1, 2016, and then it goes up to \$59,100.00 per owner. I don't know how much their residence is worth, but HCSB can get to any equity over \$118,000.00; and
- (2) Any farm property in Horry is going for way over \$1,000.00 per acre. If the farm and the Fissel-Brown house and property were sold, there would probably be enough money to pay the full judgment amount, post-judgment interest and put some money back in the Lovett's pockets.

But, hopefully, we won't have to go there and they will accept this deal.

Phil

Philip C. Thompson, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, 3rd Floor (29526)
P.O. Box 1740
Conway, South Carolina 29528
Tel. No. (843) 248-5741
Fax No (843) 248-6396
pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]
Sent: Thursday, March 03, 2016 3:09 PM
To: Phil Thompson <PThompson@thompsonlaw.com>
Cc: Melissa DellDonna <MDellDonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

Got it. I explained it to T.G. and he will be meeting with his father tonight or first thing in the morning. Just so you know, he does not understand why the bank won't take the \$50,000 cash. Even assuming that they take the farm and the rental house. At auction T.G. thinks with property values that they would get much less than \$40,000.00 and that since Mr. and Mrs. Lovett's house would be exempt from execution that is all that HCSB could get in South Carolina. As far as North Carolina, T.G. says that BB&T has a judgment against Mr. and Mrs. Lovett for over \$300,000 and if the title to the properties goes back to Mr. and Mrs. Lovett, the BB&T judgment would be superior to the HCSB judgment, but you probably know more about that.

In any event, as soon as T.G. talks with his father, I will call you.

Best regards,

David

DAVID J. GUNDLING, ESQ



P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: Phil Thompson [<mailto:PTHompson@thompsonlaw.com>]
Sent: Thursday, March 03, 2016 10:42 AM
To: David Gundling <DGundling@gundlinglaw.com>
Cc: Melissa Dellonna <MDellonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

David,

You are correct. I just wanted you to know what Horry County's appraisers are saying about the value. Sometimes they are high and sometimes they are on the money. If they are on the money, your client would still have to come up with \$42,680.00. If they are high and the appraised value is only \$20,000.00, they would still have to come up with \$47,000.00, but we won't know how much until we get the appraisal. I just want to make sure we were clear on that and didn't want to mislead you or your client into thinking they didn't need to have sufficient funds ready, the amount of which will not be determined until we get the appraisal.

Phil

Philip C. Thompson, Esquire

Thompson & Henry, P.A.

1300 Second Avenue, 3rd Floor (29526)

P.O. Box 1740

Conway, South Carolina 29528

Tel. No. (843) 248-5741

Fax No (843) 248-6396

pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]

Sent: Thursday, March 03, 2016 9:57 AM

To: Phil Thompson <PThompson@thompsonlaw.com>

Cc: Melissa Delldonna <MDelldonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>

Subject: RE: HCSB v. Lovett

So that I understand. If 90% of the appraisal is \$30,000, then Mr. Lovett would pay the balance of the settlement (\$35,000) in cash.

Thanks!

David

DAVID J. GUNDLING, ESQ



GUNDLING

LAW FIRM, P.A.

P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585

843-237-3400

843-237-0270 (FAX)



From: Phil Thompson [<mailto:PThompson@thompsonlaw.com>]

Sent: Thursday, March 03, 2016 9:46 AM

To: David Gundling <DGundling@gundlinglaw.com>

Cc: Melissa Dellidonna <MDellidonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

David,

Following up on our discussion about the possibility of taking the 2.2 acre parcel, in addition to cash, I spoke to the bank and they informed me that Horry County's tax value is \$20,700 and the County states market value is \$24,800. They would have to get the property appraised and then they would allow 90% of appraised value for liquidation expenses as a credit for the property. Obviously they prefer CASH but will take some cash and that SC real estate. I just wanted to let you know that while you are discussing it with your clients to know that it looks like the \$50,000.00 cash still needs to be a part of the settlement. An appraisal should be able to be done fairly quickly, but still might require that we seek another extension from the court of appeals if we agree to a settlement along those lines.

Thanks,

Phil

Philip C. Thompson, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, 3rd Floor (29526)
P.O. Box 1740
Conway, South Carolina 29528
Tel. No. (843) 248-5741
Fax No (843) 248-6396
pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]

Sent: Thursday, March 03, 2016 6:54 AM

To: Phil Thompson <PTHompson@thompsonlaw.com>

Cc: Melissa Dellidonna <MDellidonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>

Subject: RE: HCSB v. Lovett

I spoke with TG and apparently Mr. Lovett does not feel he can part with the South Carolina property. There are three tracts in South Carolina: 1) the home tract that I believe is exempt from execution, 2) Mr. Lovett's farm that he hopes to use to derive a little income from; and 3) the house that had a land sale contract on it to Laurie Fissel-Brown where I understand a lady is currently residing in that is helping to take care of Ms. Lovett. Title to those properties is currently in the name of Christopher Hybert Strickland and I have had no contact with him. Remember that HCSB now has all the

stock that the bank used to secure the \$65,000 loan to him (they valued the stock around \$90,000 at the time of the loan), and HCSB received quite a bit of interest on the loan for several years while Mr. & Mrs. Lovett were paying. The family can only come up with \$50,000 cash.

Please call me this morning so we can discuss.

Thanks!

David

DAVID J. GUNDLING, ESQ



GUNDLING

LAW FIRM, P.A.

P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: Phil Thompson [<mailto:PThompson@thompsonlaw.com>]

Sent: Wednesday, March 02, 2016 3:11 PM

To: David Gundling <DGundling@gundlinglaw.com>

Cc: Melissa Dellidonna <MDellidonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>

Subject: RE: HCSB v. Lovett

David,

I just met with the bank and the decision is that they do not want any property in North Carolina. They still are demanding the \$65,000.00 cash. They might consider a combination of cash and marketable South Carolina property.

Phil

Philip C. Thompson, Esquire

Thompson & Henry, P.A.

1300 Second Avenue, 3rd Floor (29526)

P.O. Box 1740

Conway, South Carolina 29528

Tel. No. (843) 248-5741

Fax No (843) 248-6396

pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]
Sent: Wednesday, March 02, 2016 1:09 PM
To: Phil Thompson <PThompson@thompsonlaw.com>
Cc: Melissa DellDonna <MDellDonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>; TG Lovett <tglovett@sccoast.net>
Subject: RE: HCSB v. Lovett

Phil: any word?

David

DAVID J. GUNDLING, ESQ.



P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: Phil Thompson [<mailto:PThompson@thompsonlaw.com>]
Sent: Monday, February 29, 2016 9:12 AM
To: David Gundling <DGundling@gundlinglaw.com>
Cc: Melissa DellDonna <MDellDonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

I will pass that along and get back to you.

Thanks,

Phil

Philip C. Thompson, Esquire

Thompson & Henry, P.A.

1300 Second Avenue, 3rd Floor (29526)

P.O. Box 1740

Conway, South Carolina 29528

Tel. No. (843) 248-5741

Fax No (843) 248-6396

pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]

Sent: Monday, February 29, 2016 9:10 AM

To: Phil Thompson <PThompson@thompsonlaw.com>

Cc: Melissa Delldonna <MDelldonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>

Subject: RE: HCSB v. Lovett

Thank you.

I just spoke with TG. I really pressed them on this but all they are able to come up with is \$50,000 cash and that was stretching it. This is with TG, his sister and their cousin loaning money, and with Mr. Lovett selling his cows and I believe scrap metal on the farm. In addition, TG would be willing to add the deed to his 6.32 acres in Fairbluff, NC (TID 17639) which is the property that Mr. Lovett bought from the loan from HCSB. Mr. Lovett paid \$60,000 for this property and after he bought it, TG had it rezoned to multi-family which should have increased the value. They were intending to do a HUD project. I believe that this offer would eventually net out quite a bit more than \$65,000 to HCSB. TG said that they could come up with the money in 10-15 days and of course if we can reach an agreement this week, I will dismiss the appeal and we can end all this litigation.

Kindly extend this offer to HCSB and please let them know that Mr. Lovett and his family have worked very hard to come up with this money and this is really all they can do. Mr. and Mrs. Lovett are in poor health and TG does not want them to have to deal with this any longer.

Thanks!

David

DAVID J. GUNDLING, ESQ



P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: Phil Thompson [<mailto:PThompson@thompsonlaw.com>]
Sent: Monday, February 29, 2016 8:38 AM
To: David Gundling <DGundling@gundlinglaw.com>
Cc: Melissa Dellonna <MDellonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

Extension granted.

Phil

Philip C. Thompson, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, 3rd Floor (29526)
P.O. Box 1740
Conway, South Carolina 29528
Tel. No. (843) 248-5741
Fax No (843) 248-6396
pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]
Sent: Monday, February 29, 2016 6:58 AM
To: Phil Thompson <PThompson@thompsonlaw.com>
Cc: Melissa Dellonna <MDellonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

Phil: I know the deadline for HCSB's offer is today. I have been working with TG and expect to hear back today but since I would have to file the initial brief and designation by next Monday, I respectfully request an extension to this Thursday to respond to the offer.

Thanks!

David

DAVID J. GUNDLING, ESQ



GUNDLING

LAW FIRM, P.A.

P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: Phil Thompson [<mailto:PTHompson@thompsonlaw.com>]
Sent: Wednesday, February 03, 2016 2:29 PM
To: David Gundling <DGundling@gundlinglaw.com>
Cc: Melissa DellDonna <MDellDonna@gundlinglaw.com>; Stephanie Hall <SHall@thompsonlaw.com>
Subject: RE: HCSB v. Lovett

David,

Here is my signature on the revised motion. Didn't see it until after I had already signed the first one. Dropping it in the mail today.

Phil

Philip C. Thompson, Esquire
Thompson & Henry, P.A.
1300 Second Avenue, 3rd Floor (29526)
P.O. Box 1740
Conway, South Carolina 29528
Tel. No. (843) 248-5741
Fax No (843) 248-6396
pthompson@thompsonlaw.com

The information contained in this electronic message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication in error, please immediately notify us by telephone or by reply email and delete the original message from your current viewing screen and trash bin.

TREASURY DEPARTMENT CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

From: David Gundling [<mailto:DGundling@gundlinglaw.com>]
Sent: Wednesday, February 03, 2016 10:48 AM
To: Phil Thompson <PTHompson@thompsonlaw.com>
Cc: Melissa Delldonna <MDelldonna@gundlinglaw.com>
Subject: RE: HCSB v. Lovett

Phil: see a revision on the motion to conform the Court of Appeals style

David

DAVID J. GUNDLING, ESQ



P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
843-237-3400
843-237-0270 (FAX)



From: David Gundling
Sent: Wednesday, February 03, 2016 10:40 AM
To: 'Phil Thompson' <PTHompson@thompsonlaw.com>
Cc: Melissa Delldonna <MDelldonna@gundlinglaw.com>
Subject: HCSB v. Lovett

Phil: please review the attached Motion. Please sign your consent and I will have someone pick it up tomorrow.

Thanks!

David

DAVID J. GUNDLING, ESQ



P.O. DRAWER 2547
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585

The South Carolina Court of Appeals

Horry County State Bank, Respondent,

v.

Tommy Garland Lovett a/k/a Tommy G. Lovett,
a/k/a Tommy Lovett, Mary Lou Lovett,
Christopher Hybert Strickland and
Laurie A. Fissel-Brown, Defendants,

RECEIVED

Of whom, Tommy Garland Lovett a/k/a Tommy G. Lovett,
a/k/a Tommy Lovett and Mary Lou Lovett are Appellants

MAR 07 2016


SC Court of Appeals

Appellate Case No. 2015-001602

CERTIFICATE OF SERVICE

I certify that I have served the **Notice of Motion and Motion for Extension of Time to File Initial Brief of Appellant** on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on May 9, 2008, addressed to its attorney of record as follows: *Philip C. Thompson, P.O. Box 1740, Conway, SC 29528.*

G U N D L I N G
L A W F I R M, P. A.



David J. Gundling
Gundling Law Firm, P.A.
Post Office Drawer 2547
Pawleys Island, SC 29585
Telephone: (843) 237-3400
Facsimile: (843) 237-0270
Attorney for Respondent

March 4, 2016


G U N D L I N G
L A W F I R M, P. A.

March 4, 2016

RECEIVED

MAR 07 2016

SC Court of Appeals

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

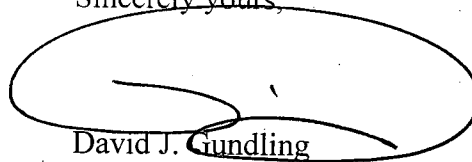
Re: *Horry County State Bank v. Lovett*
Appellate Case No. 2015-001602

Dear Clerk:

Please find enclosed the original and six (6) copies of the Notice of Motion and Motion for Additional Time to File Appellant's Initial Brief and Certificate of Service in the above-referenced matter. Also enclosed is the motion filing fee in the amount of \$25.00. Please return the clocked copies to me in the self-addressed, stamped envelope I have provided for your convenience. By copy of this letter to opposing counsel, I am hereby serving a copy of the Motion.

Thank you for your kind attention to this matter. With kindest personal regards, I remain

Sincerely yours,


David J. Gundling

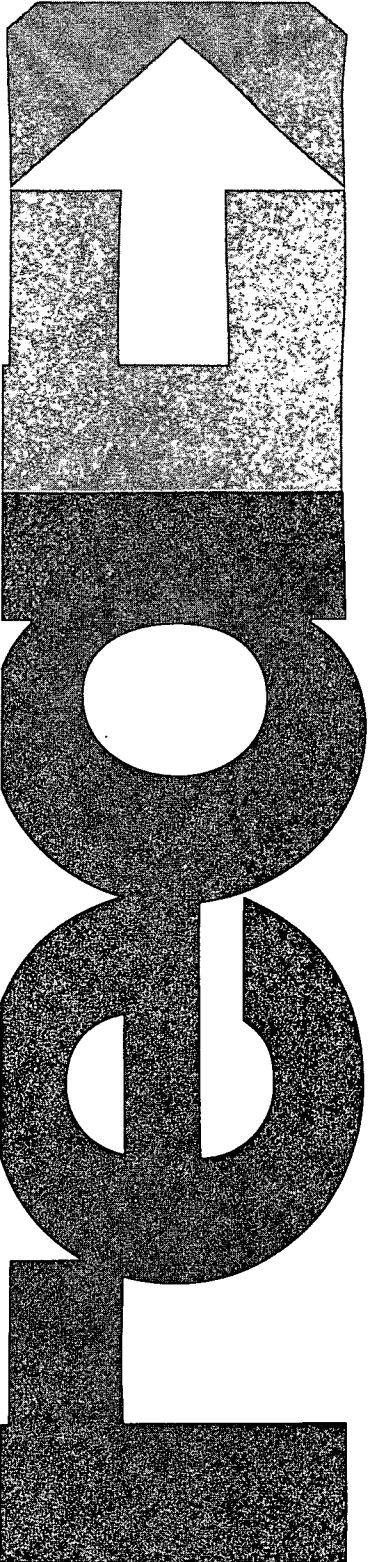
DJG/

Enclosure

cc: Philip C. Thompson, Esq. w/encl

David J. Gundling, Esq.
South Carolina Certified Mediator and Arbitrator
Catherine S. Roman, Real Estate Paralegal • Val G. Gundling, Paralegal • Kitty C. Gundling, Paralegal

P.O. Drawer 2547 / 239 Business Center Drive / Pawleys Island, South Carolina 29585
(843) 237-3400 / Fax: (843) 237-0270
www.gundlinglaw.com / email: davidg@gundlinglaw.com



Express

The World

RT 104
FZ B20

1 10:30
E 5990
03.07

FedEx

ORIGIN ID:GGEA (843) 237-3400
DAVID J. GUNDLING
GUNDLING LAW FIRM, P.A.
239 BUSINESS CENTER DRIVE
PAWLEYS ISLAND, SC 29585
UNITED STATES US

SHIP DATE: 04MAR16
ACTWGT: 2.00 LB
CAD: 3781082/INET3730
BILL SENDER

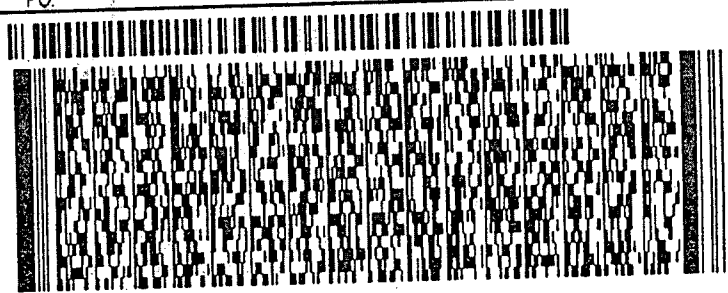
TO JENNY ABBOTT KITCHINGS
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET

RECEIVED

COLUMBIA SC 29201
(803) 734-1890 REF: 4802
INV.
PO:

MAR 07 2016

DEPT: SC Court of Appeals

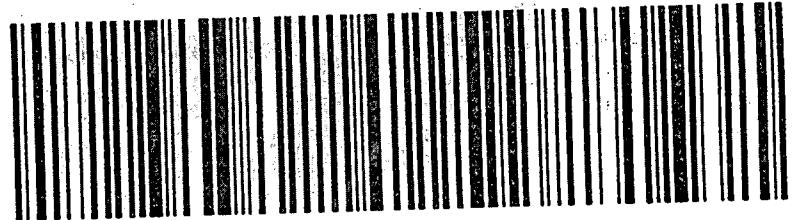


MON - 07 MAR 10:30A
PRIORITY OVERNIGHT

TRK# 7758 0361 5990
0201

28 USCA

29201
sc-us CAE



Align bottom of Peel and Stick Airbill or Pouch here.

540 J1/CF34172F

J1511820554ur

Inty