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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
14th Judicial Circuit

Marvin H. Dukes, III, Master In Equity

Case No. 2012-CP-07-0944

RECEIVED

MAR 11 2016

SC Court of Appeals

TD Bank, N.A., Successor by Merger to
Carolina First Bank,

Respondent,

v.


Black Diamond, LLC; J. Christopher
Lindgren; and David A. Brosman,

Appellants.

NOTICE OF APPEAL

Black Diamond, LLC, J. Christopher Lindgren and David A. Brosman appeal the following orders of the Honorable Marvin H. Dukes, III: the Order Granting TD Bank's Motion to Strike Defendants' Jury Trial Demand dated June 10, 2015, the Order Granting TD Bank's Motion for Summary Judgment on Defendant's Claims for Breach of Contract; Breach of Fiduciary Duty; Duress; and Unfair Trade Practices dated September 11, 2015; and Form 4 Judgment in a Civil Case (denying Defendants' Motions for Reconsideration of the foregoing orders) dated February 11, 2016. Counsel for Appellants received written notice of entry of this order on February 11, 2016.

March 8, 2016.



Ehrick K. Haight, Jr., Esq.
Stacey S. Collins, Esq.
MINOR, HAIGHT & ARUNDELL, P.C.
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(843) 785-8040
Attorneys for Appellant David A. Brosman

TD Bank v. Black Diamond, LLC et al.
Case No. 2012CP070944
NOTICE OF APPEAL



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Attorneys for Appellants Black Diamond, LLC
and J. Christopher Lindgren

Other Counsel of Record:
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Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the Respondent, TD Bank, N.A., by depositing a copy of it in the United States Mail, postage prepaid, to his attorney of record, Michael J. Bogle, Esq. on March 8, 2016, addressed to Womble, Carlyle, Sandridge & Rice, L.P., Post Office Box 10208, Greenville, SC 29603.

March 8, 2016.


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** ALSO A MEMBER OF THE GEORGIA BAR

MEMBER, AMERICAN BAR ASSOCIATION
MEMBER, HHI CHAMBER OF COMMERCE

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SC Court of Appeals

March 8, 2016

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

RE: TD Bank, N.A. Successor by Merger to Carolina First Bank v. Black
Diamond, LLC, et al.
Civil Action No. 2012-CP-07-0944

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent and lower court judge.
- (2) A copy of the orders which are to be challenged on appeal.
- (3) A filing fee of \$100.00
- (4) Two copies each of the notice of appeal and proof of service for conforming.
- (5) A postage prepaid, self addressed envelope.

Please file the notice of appeal and proof of service and return the clocked, conformed copies to me in the enclosed envelope for our records.

With kind regards, I remain

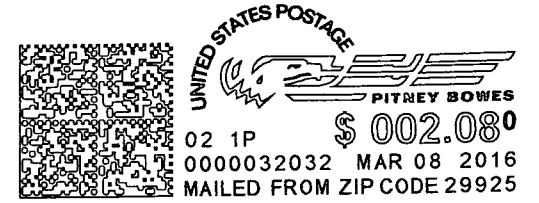
Yours very truly,
MINOR, HAIGHT & ARUNDELL, P.C.



Stacey S. Collins

Enclosures
ssc/bno

cc: Michael J. Bogle, Esq. (w/encl.)
Keating L. Simmons, III, Esq. (w/encl.)



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SC Court of Appeals

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TO:

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

