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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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MAR 30 2016

**SC Court of Appeals**

APPEAL FROM KERSHAW COUNTY  
Court of Common Pleas

The Honorable Diane Schafer Goodstein, Circuit Court Judge

Consolidated Cases for Trial

Case No. 2010-CP-28-00322

Case No. 2010-CP-28-00323

Jamie Curley, ..... Respondent – Cross Appellant,

v.

SCENT Land Holdings, LLC, Amy Puchalski,  
and Robert Puchalski..... Appellants – Respondents.

AND

Dr. Orville Dyce..... Respondent - Cross Appellant,

v.

South Carolina ENT Allergy & Sleep Medicine, P.A,  
Amy Puchalski, and Robert Puchalski.....Appellants - Respondents.

NOTICE OF CROSS APPEAL


Respondents – Cross Appellants Jamie Curley and Dr. Orville Dyce hereby notice their cross-appeal of the Order of The Honorable Diane Schafer Goodstein dated November 25, 2015 and filed December 8, 2015 and of the Order of the Honorable Diane Schafer Goodstein dated February 19, 2016 and filed February 24, 2016 denying Respondents – Cross Appellants Jamie Curley and Dr. Orville Dyce’s Motion to Alter or Amend Judgment under South Carolina Rule of Civil Procedure 59(e). Copies of these orders are attached hereto as **Exhibit “A”** and **Exhibit “B”**, respectively. Respondents –

Cross Appellants received Appellants' - Respondents' Notice of Appeal on March 28, 2016, making this Notice of Cross-Appeal timely under Rule 203(c), SCACR.

To the extent the Appellants - Respondents improperly noticed more than one case through a single notice of appeal, Respondents - Cross Appellants request the court consolidate the above-referenced cases for this appeal, pursuant to Rule 214, SCACR.

Respectfully submitted,

WOMBLE CARLYLE SANDRIDGE & RICE, LLP

By:  \_\_\_\_\_

Morris A. Ellison (SC Bar No. 1881)  
mellison@wcsr.com  
Jana B. Baker (SC Bar No. 72487)  
jabaker@wcsr.com  
5 Exchange Street  
Charleston, South Carolina 29401  
(843) 722-3400  
(843) 723-7398 (fax)

And

William C. Cleveland, III (SC Bar No. 1284)  
wccleveland@gmail.com  
62 Lenwood Blvd.  
Charleston, SC 29401

*Attorneys for Respondents-Cross Appellants Jamie  
Curley and Dr. Orville Dyce*

March 29, 2016  
Charleston, South Carolina

**Other Counsel of Record:**

Vincent A. Sheheen (SC Bar No. 115552)  
Michael D. Wright (SC Bar No. 78401)  
Savage, Royall & Sheheen, LLP  
Post office Drawer 10  
Camden, SC 29021  
*Attorneys for Appellants*

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Amy Puchalski, and Robert Puchalski.....Appellants - Respondents.

**PROOF OF SERVICE OF NOTICE OF CROSS APPEAL**

The undersigned hereby certifies that on this 29<sup>th</sup> day of March, 2016, she served a copy of the attached **Notice of Cross Appeal** via United States First Class Mail, proper postage affixed, and via Federal Express, addressed to the person(s) hereinafter named, at the place(s) and address(es) stated below, which is/are the last known address(es):

Vincent A. Sheheen  
(SC Bar No. 115552)  
Savage, Royall & Sheheen, LLP  
1111 Church Street  
Camden, SC 29020  
*Attorney for Appellants- Respondents*

Michael D. Wright  
(SC Bar No. 78401)  
Savage, Royall & Sheheen, LLP  
1111 Church Street  
Camden, SC 29020  
*Attorney for Appellants- Respondents*

*Carol Casey*  

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WOMBLE CARLYLE SANDRIDGE & RICE, LLP

WOMBLE  
CARLYLE  
SANDRIDGE  
& RICE  
A LIMITED LIABILITY  
PARTNERSHIP

5 Exchange Street  
Charleston, SC 29401

Mailing Address:  
Post Office Box 999  
Charleston, SC 29402  
Telephone: (843) 722-3400  
Fax: (843) 723-7398  
www.wcsr.com

Morris A. Ellison  
Direct Dial: 843-720-4614  
E-mail: mellison@wcsr.com

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March 29, 2016

MAR 30 2016

SC Court of Appeals

**VIA FEDERAL EXPRESS**

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

RE: Dr. Orville Dyce vs. South Carolina ENT, Allergy & Sleep Medicine, P.A.  
and Dr. Robert Puchalski; Kershaw County Case No.: 2010-CP-28-0323

Jamie Curley vs. SCENT Land Holdings, LLC and Robert Puchalski  
Kershaw County Case No. 2010-CP-28-0322

Dear Ms. Kitchings:

Enclosed for filing please find the following:

1. The original and two copies of a Notice of Cross Appeal;
2. The original and two copies of the Proof of Service of Notice of Cross Appeal;
3. One copy of the two orders being appealed; and
4. Our firm's check in the amount of \$100.00 to cover the cost of filing the Notice of Cross Appeal.

Please return one clocked copy of the Notice of Cross Appeal and Proof of Service to us in the self-addressed, stamped envelope provided.

Thank you in advance for your attention to this request.

Very truly yours,

**WOMBLE CARLYLE SANDRIDGE & RICE**  
*A Limited Liability Partnership*



Morris A. Ellison, Esq.

MAE/cbc  
Enclosure: as stated

cc w/encl: The Hon. Diane S. Goodstein  
The Hon. DeAndrea G. Benjamin  
Vincent A. Sheheen, Esq.  
Michael D. Wright, Esq.

Orville Dyce (via email)  
Jana B. Baker, Esq. (via email)  
William C. Cleveland, III, Esq. (via email)

ORIGIN ID: CHSA (843) 722-3400  
CAROL CASEY  
WOMBLE CARLYLE, LLP  
5 EXCHANGE STREET

CHARLESTON, SC 29401  
UNITED STATES US

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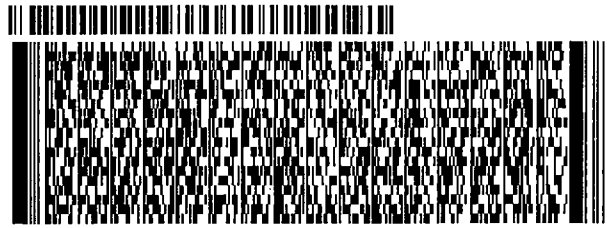
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TO HON. JENNY ABBOTT KITCHINGS  
SOUTH CAROLINA COURT OF APPEALS  
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COLUMBIA SC 29201

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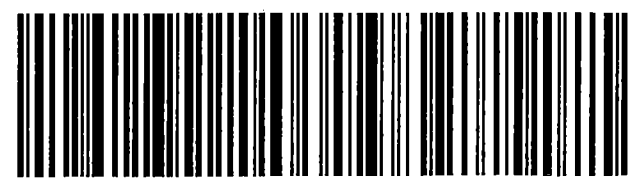


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SC Court of Appeals

FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.