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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

The Honorable Joe M. Crosby, Master-In-Equity

Case No. 2011-CP-22-00180
Appellate Case No. 2013-001447

Kennedy Funding, Inc. as predecessor-in-interest, and BNP Paribas Respondents,

v.

Pawleys Island North, LLC, Will Darwin Wheeler, Peggy Wheeler-Cribb, and
J. Mars Sapp, Defendants,
of whom Pawleys Island North, LLC, Will Darwin Wheeler and Peggy Wheeler-
Cribb are Respondents and

J. Mars Sapp is the Appellant.

APPELLANT'S MOTION FOR ADDITIONAL BRIEFING ON REMAND

Paul H. Hoefler [77506]
Thomas W. Bunch, II [01011]
Daniel T. Brailsford [00849]
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Counsel for Appellant

Other Counsel of Record:

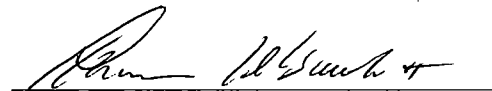
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This case is before the Court on remand from the Supreme Court for a ruling on the issue presented in question B of Appellant's brief on appeal: whether the fraudulent conveyance from Will Wheeler (Wheeler) to Pawleys Island North, LLC, (Pawleys) rendered the subsequent mortgage from Pawleys to Respondent Kennedy void as to Appellant Sapp, Wheeler's defrauded creditor. Appellant requests leave to submit an additional brief focusing on that issue and, in particular, its potential effect on lending practices, a concern which was voiced by the panel of this Court at oral argument.

The undersigned has consulted with counsel for Respondents Kennedy Funding and BNP Paribas to determine if those parties consent or object to this motion. Said counsel is considering the matter.

Respectfully submitted,



Paul H. Hoefler [77506]
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Counsel for Appellant

May 27, 2016

THE STATE OF SOUTH CAROLINA
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APPEAL FROM GEORGETOWN COUNTY MAY 31 2016
Court of Common Pleas
The Honorable Joe M. Crosby, Master-In-Equity **SC Court of Appeals**

Case No. 2011-CP-22-0180
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Kennedy Funding, Inc. as predecessor-in-interest, and BNP
Paribas.....Respondents,

v.

Pawleys Island North, LLC, Will Darwin Wheeler, Peggy Wheeler-Cribb, and J.
Mars Sapp, Defendants,
of whom Pawleys Island North, LLC, Will Darwin Wheeler and Peggy Wheeler-
Cribb
are Respondents and

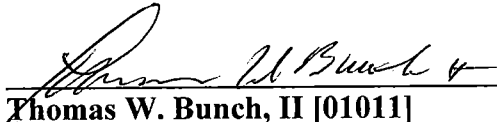
J. Mars Sapp is the
.....Appellant.

PROOF OF SERVICE

I certify that I have served Appellant's Motion for Additional Briefing on Remand
on opposing counsel by depositing a copy of it in the United States Mail, postage prepaid,
on **May 27, 2016** addressed as follows:

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SC Court of Appeals

May 27, 2016

The Honorable Jenny A. Kitchings, Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Post Office Box 11629
Columbia, SC 29211

**Re: Kennedy Funding, Inc., as predecessor-in-interest, and BNP Paribas v.
Pawleys Island North, LLC, et al of whom J. Mars Sapp is the Appellant
State Court Case No. 2011-CP-22-00180
Appellate Case No. 2013-001447
File No. 30440-0003**

Dear Ms. Kitchings:

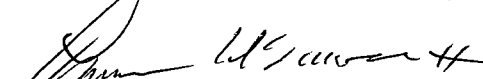
Enclosed for filing please find the original and seven copies of Appellant's Motion for Additional Briefing on Remand in the referenced matter. Please return a clocked copy in the envelope provided. I am also enclosing our filing fee in the amount of \$25.00.

By copy of this letter, I am serving same upon opposing counsel.

Thank you for your consideration of this matter.

Yours very truly,

ROBINSON, MCFADDEN & MOORE, P.C.


Thomas W. Bunch, II

TWB:ael
Enclosure

cc: Robert H. Jordan, Esquire (w/enclosure)
Robert H. Gwinn, III, Esquire (w/enclosure)

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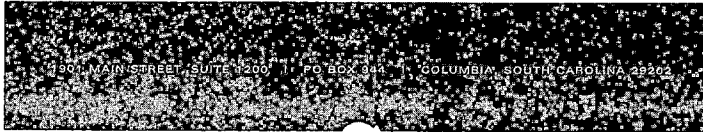
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ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT-LAW

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

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