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**MOTION TO CONSOLIDATE**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

RECEIVED

Joseph M. Strickland, Master-in-Equity for Richland County MAY 25 2016

Appellate Case No. 2016-000958

SC Court of Appeals

Wells Fargo Bank, N.A., Plaintiff,

v.

William R. Hudspeth, Marcia E. Hudspeth; TD Bank, N.A. s/b/m to Carolina First Bank; The Lender Group, Inc.; Business Carolina, Inc.; South Carolina Department of Revenue; Carapace, LLC; Wurth Wood Group, Inc.; The Estate of Harry William Boyd, by Joan L. Boyd, Personal Representative; Adecco USA, Inc., Defendants,

Of Whom TD Bank, N.A. successor by merger to Carolina First Bank is the Appellant,

and Of Whom The Lender Group, Inc. is the Respondent.

**CONSENT MOTION TO CONSOLIDATE APPEALS**

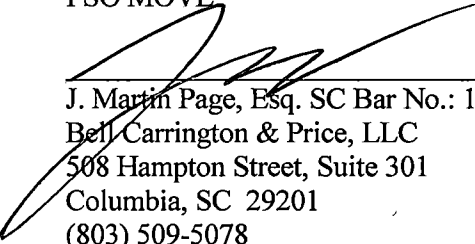
Pursuant to Rules 214 and 240, SCACR, Appellant TD Bank, N.A. successor by merger to Carolina First Bank ("TD Bank") hereby moves this Court for an Order consolidating this appeal with a related appeal filed on May 19, 2016 bearing the below Plaintiff name, appellate case number, and lower court civil action number:

Wells Fargo Bank, N.A. v. Hudspeth, et al.  
Appellate Case No.: 2016-001059  
Civil Action No.: 2014-CP-40-01233

Counsel for the opposing parties in the appeals to be consolidated have been consulted and consent to this motion. *See* attached consent. The grounds for this Motion are that both of the appeals raise identical issues and result from related orders. This Appeal arises from an Order of Disbursement of Surplus Funds Pursuant to Rule 71(c), SCRCF entered on April 29, 2016 ("Original Order") and Appellate Case No.: 2016-001059 arises from that certain Supplemental Order of Disbursement of Surplus Funds Pursuant to Rule 71(c), SCRCF entered May 17, 2016 which purports to supplement the Original Order.

For the foregoing reasons, Appellant TD Bank, respectfully request that Appellate Case No.: 2016-001059 be consolidated with this appeal. Appellant TD Bank, N.A. further requests that the current appellate deadlines be held in abeyance until this Court issues an Order on this Motion.

I SO MOVE:



\_\_\_\_\_  
J. Martin Page, Esq. SC Bar No.: 100200  
Bell Carrington & Price, LLC  
508 Hampton Street, Suite 301  
Columbia, SC 29201  
(803) 509-5078  
mpage@bellcarrington.com  
*Attorney for Appellant*

I CONSENT:

\_\_\_\_\_  
*see attached consent*  
Robert B. Lewis, Esq. SC Bar No.: 003315  
Rogers Lewis Jackson Mann & Quinn, LLC  
1330 Lady Street Suite 400  
Columbia, SC 29201  
(803) 978-2838  
rlewis@rogerslewis.com  
*Attorney for Respondent*

*Attachment*

## Martin Page

---

**From:** Robert Lewis <rlewis@rogerslewis.com>  
**Sent:** Wednesday, May 25, 2016 10:27 AM  
**To:** Christopher Boguski; Martin Page  
**Subject:** RE: Wells v. Hudspeth

Martin. This looks fine to me. Thanks. Robert.

---

**From:** Christopher Boguski  
**Sent:** Wednesday, May 25, 2016 9:12 AM  
**To:** Martin Page <mpage@bellcarrington.com>; Robert Lewis <rlewis@rogerslewis.com>  
**Subject:** RE: Wells v. Hudspeth

Martin,

The proposed Order looks fine to me, but let me confirm with Robert.

**Christopher Boguski**  
Associate Attorney

### **Rogers Lewis Jackson Mann & Quinn, LLC**

P.O. Box 11803 (29211)  
1330 Lady Street, Suite 400  
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**From:** Martin Page [<mailto:mpage@bellcarrington.com>]  
**Sent:** Monday, May 23, 2016 1:15 PM  
**To:** Robert Lewis <rlewis@rogerslewis.com>; Christopher Boguski <cboguski@rogerslewis.com>  
**Subject:** Wells v. Hudspeth

Robert/Chris,

Hope you guys are well. Attached is my proposed consent order to consolidate the appeals. Let me know if you guys have any questions/issues.

Also has the check been sent back to the MIE yet?

Thanks,

Martin

J. Martin Page, Esq.  
508 Hampton Street, Suite 301  
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P:803.509.7692



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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Joseph M. Strickland, Master-in-Equity for Richland County

Appellate Case No. 2016-000958

Wells Fargo Bank, N.A., Plaintiff,

v.

William R. Hudspeth, Marcia E. Hudspeth; TD Bank, N.A. s/b/m to Carolina First Bank; The Lender Group, Inc.; Business Carolina, Inc.; South Carolina Department of Revenue; Carapace, LLC; Wurth Wood Group, Inc.; The Estate of Harry William Boyd, by Joan L. Boyd, Personal Representative; Adecco USA, Inc., Defendants,

Of Whom TD Bank, N.A. successor by merger to Carolina First Bank is the Appellant,

and Of Whom The Lender Group, Inc. is the Respondent.

PROOF OF SERVICE

I, the undersigned attorney for TD Bank, N.A., do hereby certify that I have served all counsel in this action with a copy of the pleading(s) herein below specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

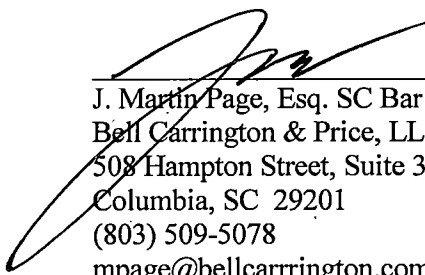
Pleadings:

Consent Motion to Consolidate Appeals

Counsel Served:

Robert Lewis, Esq.  
Rogers Lewis Jackson Mann & Quinn, LLC  
1330 Lady St., Suite 400  
Columbia, SC 29201

May 25, 2016

  
\_\_\_\_\_  
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mpage@bellcarrington.com  
*Attorney for Appellant*

RECEIVED  
MAY 25 2016  
SC Court of Appeals

**BELL | CARRINGTON** LLC  
ATTORNEYS AT LAW

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

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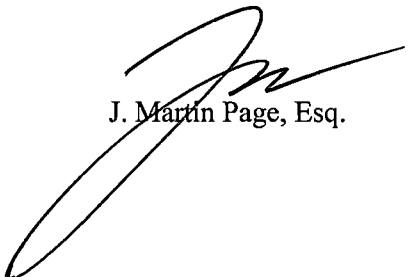
May 25, 2016

RE: Appellate Case No. 2016-000958

Dear Ms. Kitchings:

Enclosed please find the original and six copies of a Consent Motion to Consolidate Appeals in regards to Appellate Case No. 2016-000958 and Appellate Case No. 2016-001059. We would ask that you file the original and return a clocked-in copy to us. Also enclosed is our check in the amount of \$25.00 as the required filing fee.

Sincerely,

  
J. Martin Page, Esq.

Enclosures

cc: Robert E. Lewis, Esquire

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