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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

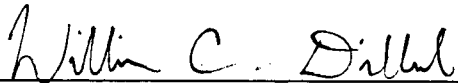
Case No. 2016-CP-46-2458

Loyd C. (Chad) Whitmire, ..... Respondent,  
v.  
Johnny C. (Carl) Hawkensen and The Commons at Fort Mill, LLC, ..... Appellants.

NOTICE OF APPEAL

Johnny C. (Carl) Hawkensen and the Commons at Fort Mill, LLC, appeal the orders of the Honorable S. Jackson Kimball dated September 29, 2016 (*Order on Motion to Appoint Receiver*), October 5, 2016 (*Order Denying Defendants' Motion to Compel Arbitration*), and October 31, 2016 (Form 4 Order denying *Defendants' Motion to Reconsider Order Denying Motion to Compel Arbitration and Defendants' Motion to Reconsider Order on Motion to Appoint Receiver*). Appellants received written notice of entry of the October 31, 2016, order on November 3, 2016.

November 14, 2016

  
H. Freeman Belser  
William C. Dillard, Jr.  
Post Office Box 96  
Columbia, South Carolina 29202  
(803) 929-0096  
Attorneys for Appellants

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SC Court of Appeals

Other Counsel of Record:

W. Keith Martens  
130 E. Main Street  
Rock Hill, SC 29730  
(803) 329-7662  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
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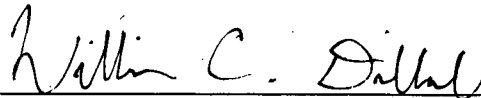
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PROOF OF SERVICE

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I certify that I have served the Notice of Appeal on Loyd C. (Chad) Whitmire by depositing a copy of it in the United States Mail, postage prepaid, on November 14, 2016, addressed to his attorney of record, W. Keith Martens, 130 E. Main Street, Rock Hill, South Carolina, 29730.

November 14, 2016



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SC Court of Appeals

C. HEYWARD BELSER, SR.  
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November 15, 2016

Via Courier

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

RE: Loyd C. (Chad) Whitmire v Johnny C. (Carl) Hawkensen, et al.  
Civil Action No. 2016-CP-46-2458

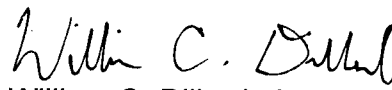
Dear Madame Clerk:

Enclosed for filing are two copies of the Notice of Appeal in the above referenced case. Also enclosed are the following:

- 1.) Proof of service of the Notice of Appeal on the respondent;
- 2.) Copies of the three orders which are to be challenged on appeal; and
- 3.) A filing fee in the amount of \$100.

Please clock and file one copy of the Notice of Appeal, and clock and return the other copy to my courier. Thank you very much for your assistance in this matter.

Sincerely,

  
William C. Dillard, Jr.

WCD/prd  
Enclosures  
cc: W. Keith Martens  
mydocs/ser/16074/ct app 161115

**RECEIVED**

NOV 15 2016

SC Court of Appeals