

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM BARNWELL COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2010-CP-06-101

**RECEIVED**

MAR 21 2017

SC Court of Appeals  
82 821

Tippins-Polk Construction, Inc.,.....Plaintiff/ Appellant,

v.

Fred's Inc., and Tad Barner, individually and d/b/a  
Wildevco, LLC..... Defendants/ Respondent,

NOTICE OF APPEAL

Tippins-Polk Construction, Inc. appeals the judgment that was entered on August 1, 2016, including Orders underlying said Order. The Order and judgment are attached hereto as Exhibit A. Tippins-Polk timely filed a Motion to Reconsider, but the same was denied by Order dated February 6, 2017, and judgment entered on February 13, 2017. This Order and judgment are attached hereto as Exhibit B. Appellant received within notice of entry of this Order Deny Reconsideration on February 17, 2017.

March 13, 2017



Morgan S. Templeton  
Peden Brown McLeod, Jr.  
Wall Templeton & Haldrup, P.A.  
145 King Street, Suite 300  
Post Office Box 1200  
Charleston, South Carolina 29402  
(843) 329-9500

Other Counsel of Record:

Regina H. Lewis, Esq.  
Gaffney Lewis & Edwards  
3700 Forest Drive, Suite 400  
Columbia, SC 29204  
**Attorney for Fred's, Inc. and Tad Barber**

Matthew C. LaFave, Esq.  
Crowe LaFave, LLC  
Post Office Box 1149  
Columbia, South Carolina 29202  
**Attorney for Wildevco, LLC**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BARNWELL COUNTY  
Court of Common Pleas  
Case No. 2010-CP-10-10355  
Doyet Early, Circuit Court Judge

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Appellate Case No.: \_\_\_\_\_

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MAR 21 2017

SC Court of Appeals

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**PROOF OF SERVICE**

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I, Peden Brown McLeod, Jr. of Wall Templeton & Haldrup, do hereby certify that I have served the **Notice of Appeal** on counsel for Respondents, as well as other parties' counsel, by depositing the same in the United States Mail, properly posted on March \_\_\_\_, 2017 addressed as follows to counsel of record:

Regina H. Lewis, Esq.  
Gaffney Lewis & Edwards  
3700 Forest Drive, Suite 400  
Columbia, SC 29204  
**Attorney for Fred's, Inc. and Tad Barber**

Matthew C. LaFave, Esq.  
Crowe LaFave, LLC  
Post Office Box 1149  
Columbia, South Carolina 29202  
**Attorney for Wildevco, LLC**



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**Wall Templeton**  
ATTORNEYS

Peden Brown McLeod  
Telephone: 843.329.9500 Ext. 201  
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Brown.McLeod@WallTempleton.com

March 13, 2017

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

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SC Court of Appeals

Re: *Martha M. Foundain v. Fred's Inc., et al.*  
Civil Action No.: 2010-CP-06-101

Dear Mr. Kitchings:

Please find enclosed an original and one copy of a Notice of Appeal and Proof of Service in the above referenced matter. I am also enclosing the requisite \$100 filing fee. Please file the original and return a filed-stamped copy to me in the envelope provided for your convenience.

By copy of this letter to the Barnwell County Clerk of Court and all counsel of record, I am serving them with the enclosed Notice of Appeal.

Thank you for your time and attention to this matter.

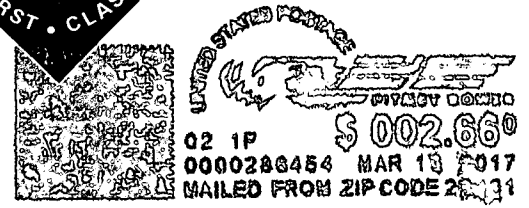
Sincerely,

WALL TEMPLETON & HALDRUP, P.A.

Peden Brown McLeod, Jr.

PBMjr/sjs  
enclosures

cc: Lee Ellen Bagley, Esquire (w/ encl)  
Matthew C. LaFave, Esquire (w/ encl)  
The Honorable Rhonda D McElveen, Clerk of Court, Barnwell County (w/ encl)



# FIRST CLASS MAIL



145 King Street, Suite 300 (29401)  
Post Office Box 1200  
Charleston, South Carolina 29402

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**SC Court of Appeals**

The Honorable Jerry Abbott Kitchings  
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Columbia, South Carolina 29211

