

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM BARNWELL COUNTY
Court of Common Pleas

MAR 30 2017

Doyet A. Early, III, Circuit Court Judge

SC Court of Appeals

Case No. 2010-CP-06-101

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

v.

Fred's Inc., and Wildevco, LLC.....Defendants/ Respondent,

AMENDED NOTICE OF APPEAL

Tippins-Polk Construction Inc. appeals the Order of The Honorable Doyet A. Early, III entered on August 1, 2016. The Order and Judgment is attached hereto as Exhibit A. Tippins-Polk Construction, Inc. filed a timely Motion to Make Additional Findings and Motion to Reconsider and/or Amend, but the same was denied by Order entered on February 13, 2017. This Order is attached hereto as Exhibit B. Appellant received written notice of the denial of its Motion to Alter or Amend on February 17, 2017 (indirectly via electronic mail from counsel for Respondent Wildevco, Inc.).

March 27, 2017



Morgan S. Templeton
Peden Brown McLeod, Jr.
Wall Templeton & Haldrup, P.A.
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 Wildevco, LLC

Matthew C. LaFave, Esq.
Crowe LaFave, LLC
Post Office Box 1149
Columbia, SC 29202
Attorney for Fred's Inc.

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PROOF OF SERVICE

SC Court of Appeals

I, Peden Brown McLeod, Jr. of Wall Templeton & Haldrup, do hereby certify that I have served the **Amended 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 27, 2017 addressed as follows to counsel of record:

Regina H. Lewis, Esq.
Gaffney Lewis & Edwards
3700 Forest Drive, Suite 400
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Attorney for Wildevco, LLC

Matthew C. LaFave, Esq.
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Wall Templeton
ATTORNEYS

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March 27, 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 an Amended Notice of Appeal and Proof of Service in the above referenced matter. 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 Amended Notice of Appeal.

Thank you for your time and attention to this matter.

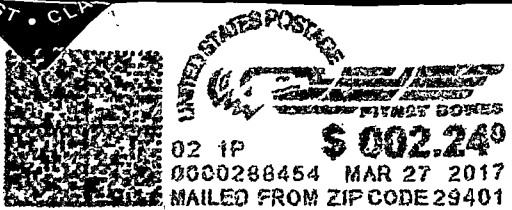
Sincerely,

WALL TEMPLETON & HALDRUP, P.A.

Peden Brown McLeod, Jr.

PBMjr.:are
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



Wall Templeton
ATTORNEYS

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Charleston, South Carolina 29401

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South Carolina Court of Appeals
Post Office Box 11629
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