

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
R. Ferrell Cothran, Circuit Court Judge

Case No. 2015-CP-43-596

RECEIVED

APR 21 2017

SC Court of Appeals

Paul Branco and Branco Investments,
Inc., d/b/a Great American Cookie Co.,..... Respondents,

v.

Hull Storey Retail Group, LLC, and
Sumter Mall, LLC Appellants,

NOTICE OF APPEAL

Hull Storey Retail Group, LLC and Sumter Mall, LLC (collectively "Appellants") appeal the Order of Judgment electronically filed by the Honorable R. Ferrell Cothran on March 23, 2017, and received in written form by Appellants the same day via electronic delivery (*see attached*).¹

[Signature Page Attached]

¹ Prior to the entry of the Order of Judgment, Appellant received a draft of the Order and, on March 21, 2017, filed a Motion to Amend the Judgment pursuant to Rule 52, SCRCP. The Order of Judgment was subsequently filed on March 23, 2017. No ruling has yet been entered on the previously-filed Motion to Amend. Appellant timely serves and files this Notice of Appeal of the March 23 Order out of an abundance of caution. In the event the court below later rules upon and denies the Motion to Amend, Appellants will notice an appeal of that ruling.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: Timothy E. Madden

Timothy E. Madden
SC Bar No. 11786
E-Mail: tim.madden@nelsonmullins.com
104 South Main Street / Ninth Floor
Post Office Box 10084 (29603-0084)
Greenville, SC 29601
(864) 250-2300

HULL PROPERTY GROUP, LLC

Matthew W. Matson
Admitted *pro hac vice*
E-Mail: mmatson@hullpg.com
1190 Interstate Parkway
Augusta, GA 30909
(706) 434-1743

Attorneys for Hull Storey Retail Group, LLC

April 21, 2017

Other Counsel of Record:

Patrick M. Killen
MCGOWAN, HOOD & FELDER, LLC
E-Mail: pkillen@mcgowanhood.com
28 N. Main Street
Sunder, SC 29150
(803) 774-5026

Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
R. Ferrell Cothran, Circuit Court Judge

RECEIVED

APR 21 2017

SC Court of Appeals

Case No. 2015-CP-43-596

Paul Branco and Branco Investments,
Inc., d/b/a Great American Cookie Co., Respondents,

v.

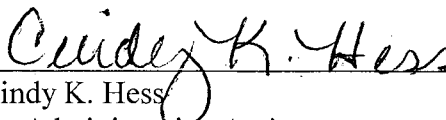
Hull Storey Retail Group, LLC, and
Sumter Mall, LLC Appellants,

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Hull Storey Retail Group, LLC, and Sumter Mall, LLC, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address:

Pleadings: Notice of Appeal

Counsel Served: Patrick M. Killen
MCGOWAN, HOOD & FELDER, LLC
E-Mail: pkillen@mcgowanhood.com
28 N. Main Street
Sumter, SC 29150
(803) 774-5026


Cindy K. Hess
Sr. Administrative Assistant

April 21, 2017

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
104 South Main Street / Ninth Floor / Greenville, SC 29601
Tel: 864.250.2300 Fax: 864.250.2328
www.nelsonmullins.com

Timothy E. Madden
Tel: 864.250.2279
Fax: 864.250.2381
tim.madden@nelsonmullins.com

April 21, 2017

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED

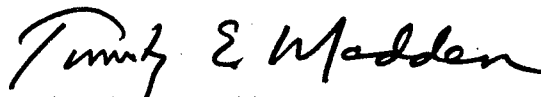
APR 21 2017
SC Court of Appeals

RE: Branco *et al.* v. Hull Storey Retail Group, LLC *et al.*
Case No. 2015-CP-43-596
Our File No. 53746/01500

Dear Ms. Kitchings:

Enclosed please find the original and one copy of a Notice of Appeal in the above-referenced matter. We ask that you file the original and return a clocked-in copy to us via our courier. Also enclosed is our check in the amount of \$100 as the required filing fee. By copy of this letter to counsel of record, we are serving him with a copy.

Very truly yours,


Timothy E. Madden

TEM/tem
Enclosures
CC: The Honorable R. Ferrell Cothran
Patrick M. Killen, Esq.