

Appellate Case No.
2017-001435

ELECTRONICALLY FILED - 2017 May 30 2:25 PM - GREENVILLE - COMMON PLEAS - CASE#2016CP2304789

STATE OF SOUTH CAROLINA)	
)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE)	2016-CP-23-04789

Nationstar Mortgage LLC,)
)
Plaintiff,)
)
vs.)
)
Robert Butler and SC Housing Corp.,)
)
Defendants)

TRANSCRIPT OF TESTIMONY

May 18, 2017
Greenville, South Carolina

B E F O R E:

HONORABLE CHARLES B. SIMMONS, JR., MASTER IN EQUITY

A P P E A R A N C E S:

William G. Stork, Esquire
Attorney for the Plaintiff

Wanda E. Fudge, CCR
Court Reporter

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JUL 10 2017

SC Court of Appeals

1 MR. STORK: Next we have Nationstar Mortgage LLC v. Robert
2 Butler, et al; case number 2016-CP-23-04789.

3 BY THE COURT: The case is referred. No Defendant is
4 present. Notice of today's hearing was e-filed on May 15, and be
5 glad to hear from you.

6 MR. STORK: Thank you, Judge. According to my client's
7 business records, the amount of outstanding principal due is
8 \$85,070.00; interest accrued from 2/1/2016 to 3/23/2017 is
9 \$1,945.69; interest accrued from 3/24/17 to 5/18/17 is \$260.96;
10 there are escrow advances of \$3,000.00; property inspection costs
11 of \$90.00; paid attorney's costs of \$832.97; paid attorney's fees
12 of \$3,212.50; outstanding costs of collection prior to hearing of
13 \$189.24; and attorney's fees awarded but yet unpaid of \$1,137.50,
14 for a total debt secured of \$95,738.86.

15 Deficiency is demanded against Robert Butler, and Plaintiff
16 is requesting a July 3rd sale date.

17 BY THE COURT: Could you also address the factual
18 allegations around the reformation cause of action, please, sir?

19 MR. STORK: Certainly, Judge. Additionally, the Plaintiff
20 has sought both a declaratory judgment/reformation of deed cause
21 of action and reformation of mortgage cause of action.

22 Upon information and belief, both the deed and mortgage in
23 the legal description contains an error. Plaintiff believes it
24 is entitled to a declaratory judgment confirming that the plat
25 book reference should be GG at Page 99 instead of the incorrect

1 plat reference of GG at 854. As previously stated, this error is
 2 specifically in the deed and in the mortgage. So, we would ask
 3 the Court to reform the legal description of the deed and
 4 mortgage to comply with the public records. We attached a copy
 5 of the referenced plat as an exhibit to our Summons and
 6 Complaint, Judge.

7 BY THE COURT: All right. And there have been no
 8 allegations or defenses to the contrary, correct?

9 MR. STORK: That's correct, Your Honor.

10 BY THE COURT: Thank you, sir.

11 -----END OF REQUESTED TRANSCRIPT OF RECORD-----

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The undersigned, Wanda E. Fudge, Court Reporter, Office of Master in Equity for Greenville County, South Carolina do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all of the proceedings had and evidence introduced in the hearing of the captioned case, relative to appeal, before The Honorable Charles B. Simmons, Jr., as Master in Equity for Greenville County, South Carolina on the 18th day of May, 2017.

I do further certify that I am neither of kin, counsel, nor interest to any parties hereto.

May 22, 2017

Wanda E. Fudge

Wanda E. Fudge, CCR

Certified Court Reporter