

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

—
APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge
—

RECEIVED

AUG 10 2017

SC Court of Appeals

Case No. 2017-CP-32-00397

ROBERT F. BERRY,

RESPONDENT,

v.

SCOTT A. SPANG, WELLS FARGO
CLEARING SERVICES, LLC, f/k/a
WELLS FARGO ADVISORS, LLC,
WACHOVIA SECURITIES FINANCIAL
HOLDINGS, LLC, WELLS FARGO &
COMPANY, and WELLS FARGO
BANK, N.A.

APPELLANTS.

NOTICE OF APPEAL

Defendants Wells Fargo Clearing Services, LLC f/k/a Wells Fargo Advisors, Wachovia Securities Financial Holdings, LLC, Wells Fargo & Company, Wells Fargo Bank, N.A., and Scott A. Spang (“Appellants”), appeal the Orders of the Honorable G. Thomas Cooper, Jr. on Appellants’ Motion to Dismiss or Stay Pending Arbitration dated June 16, 2017 and on Defendants’ Motion for Reconsideration or Amendment dated July 24, 2017. Appellants received written notice of entry of the July 24, 2017 Order and the July 27, 2017 Judgment on July 31, 2017.

Respectfully submitted,

WELLS FARGO CLEARING SERVICES,
LLC F/K/A WELLS FARGO ADVISORS,
WACHOVIA SECURITIES FINANCIAL
HOLDINGS, LLC, WELLS FARGO &
COMPANY, WELLS FARGO BANK, N.A.,
and SCOTT A. SPANG

By: 

for Adam N. Yount
South Carolina Bar No. 76342
Sarah P. Spruill
South Carolina Bar No. 68337
Pierce T. MacLennan
South Carolina Bar No. 101797
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ATTORNEYS FOR APPELLANTS

Date: August 10, 2017

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Court of Common Pleas**

G. Thomas Cooper, Jr., Circuit Court Judge

Civil Action No. 2017-CP-32-00397

ROBERT F. BERRY,

RESPONDENT,

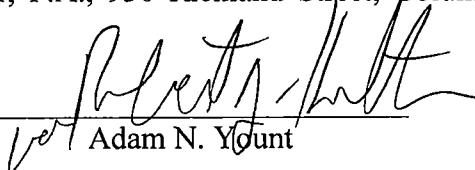
v.

**SCOTT A. SPANG, WELLS FARGO
CLEARING SERVICES, LLC, f/k/a
WELLS FARGO ADVISORS, LLC,
WACHOVIA SECURITIES FINANCIAL
HOLDINGS, LLC, WELLS FARGO &
COMPANY, and WELLS FARGO
BANK, N.A.**

APPELLANTS.

PROOF OF SERVICE

I certify that I served the Notice of Appeal on Robert F. Berry by hand delivering a copy of it on August 10, 2017, addressed to his attorneys of record, Mitchell Willoughby, Elizabeth Zeck, Chad N. Johnston, Willoughby & Hoefler, P.A., 930 Richland Street, Columbia, South Carolina 29201.


Adam N. Yount

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

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SC Court of Appeals

134 MEETING STREET, THIRD FLOOR (29401-2240)
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ADAM N. YOUNT
DIRECT DIAL NUMBER 843.720.4484
EMAIL ayount@hsblawfirm.com

August 10, 2017

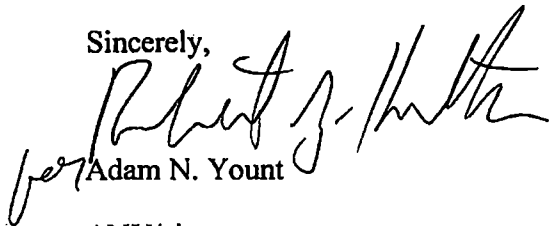
The Honorable Beth Carrigg
Lexington County Clerk of Court
205 East Main Street
Lexington, South Carolina 29072

RE: Robert F. Berry v. Scott A. Spang, Wells Fargo Clearing Services, LLC f/k/a Wells Fargo Advisors, LLC, Wachovia Securities Financial Holdings, LLC, Wells Fargo & Company, and Wells Fargo Bank, N.A.
Case No.: 2017-CP-32-00397
HSB File No. 31686.0261

Dear Ms. Carrigg:

Enclosed please a copy of the Notice of Appeal filed today with the S.C. Court of Appeals in the above matter.

Sincerely,


per Adam N. Yount

ANY/eje

Enc.

cc: Chad N. Johnston, Esq. (w/enc.)

DM: 4915983 v.6

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

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August 10, 2017

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: Robert F. Berry v. Scott A. Spang, Wells Fargo Clearing Services, LLC f/k/a Wells Fargo Advisors, LLC, Wachovia Securities Financial Holdings, LLC, Wells Fargo & Company, and Wells Fargo Bank, N.A.
Case No.: 2017-CP-32-00397
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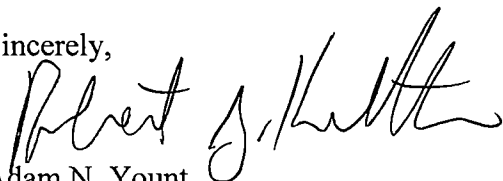
Dear Ms. Abbott Kitchings:

Enclosed for filing please find the notice of appeal in the above-captioned case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent;
- (2) Copies of the Orders which are to be challenged on appeal;
- (3) A filing fee of \$100; and
- (4) Copy of the letter filing the notice of appeal with the lower court.

Please return a clocked copy to me via my courier. Thank you for your assistance in this matter.

Sincerely,


for Adam N. Yount

ANY/eje

Enc.

cc: Chad N. Johnston, Esq. (w/enc.)