

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

New York Community Bank,

PLAINTIFF,

vs.

Scott L. Butler; Jacqueline Butler; Mortgage Electronic Registration Systems, Inc., as nominee for Northstar Mortgage Group, LLC; and LVNV Funding, LLC,

DEFENDANTS.

IN THE COURT OF COMMON PLEAS

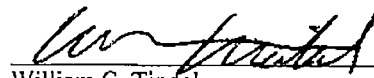
C/A NO: 2012-CP-29-0892

ORDER VACATING JUDGMENT OF FORECLOSURE AND SALE

RECEIVED  
OCT 10 2017  
SC Court of Appeals

This matter comes before the Court on the Plaintiff's Motion to Vacate the Order and Judgment of Foreclosure and Sale entered March 2, 2016, on the grounds that the subject loan has been modified. All appearing parties having consented to the Motion and for good cause shown, it is hereby ordered that the judgment entered in this matter on March 2, 2016 is vacated.

It is so ORDERED.




William C. Tindal  
Special Referee for Lancaster County

October 3, 2017

Lancaster, South Carolina

WE SO MOVE:

FINKEL LAW FIRM LLC



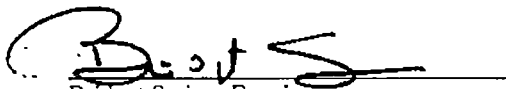
Magalie A. Frech (SC Bar No. 78855)  
P.O. Box 41489  
Charleston, SC 29423  
Phone: (843) 577-5460  
Facsimile: (866) 800-7954  
Attorneys for Plaintiff

FILED  
COURT OF COMMON PLEAS  
LANCASTER, SC  
2017 OCT -3 PM 1:55



*Order to Vacate Judgment of Foreclosure and Sale*  
*C/A NO: 2012-CP-29-0892*  
*Page 2 of 2*

**WE SO CONSENT:**



Bridget Swing, Esquire  
101B Chadwick Square  
Hendersonville, North Carolina 28739  
*Attorneys for Defendants*



STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

New York Community Bank,

PLAINTIFF,

vs.

Scott L. Butler; Jacqueline Butler; Mortgage Electronic Registration Systems, Inc., as nominee for Northstar Mortgage Group, LLC; and LVNV Funding, LLC,

DEFENDANTS.

IN THE COURT OF COMMON PLEAS

CIVIL ACTION NO.: 2012-CP-29-0892

MOTION AND ORDER INFORMATION  
FORM AND COVER SHEET

**RECEIVED**  
OCT 10 2017  
SC Court of Appeals

<input type="checkbox"/> Attorney for Plaintiff: Magalie A. Creech (S.C. Bar #: 78855) <b>FINKEL LAW FIRM LLC</b> Post Office Box 41489 Charleston, SC 29423 Telephone: 843-577-5460 Facsimile: 866-800-7954	Attorney for Defendants: Bridget Swing, Esquire 101B Chadwick Square Hendersonville, North Carolina 28739
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MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)  
 FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)  
 PROPOSED ORDER/CONSENT ORDER (complete Sections II and III)

**SECTION I: Hearing Information**

Nature of Motion: \_\_\_\_\_

Estimated Time Needed: \_\_\_\_\_ Court Reporter Needed:  YES  NO

**SECTION II: Motion Type**

Written Motion attached

Form Motion: Consent Order to Vacate Judgment of Foreclosure  
 I hereby move for relief or action by the court as set forth in the attached proposed order.

*Magalie Creech*      9/26/17  
 Signature of Attorney      Date Submitted

**SECTION III: Motion Type**

PAID AMOUNT: \$25.00

EXEMPT: (check reason) \_\_\_\_\_

Rule to Show Cause in Child or Spousal Support  
 Domestic Abuse or Abuse and Neglect  
 Indigent Status       State Agency v. Indigent Party  
 Sexually Violent Predator Act       Post-Conviction Relief  
 Motion for Stay in Bankruptcy  
 Motion for Publication       Motion for Execution (Rule 69, SCRPC)  
 Proposed order submitted at request of the court; or,  
 reduced to writing from motion made in open court per judge's instructions  
 Name of Court Reporter: \_\_\_\_\_  
 Other: \_\_\_\_\_

**JUDGE'S SECTION**

Motion Fee to be paid upon filing of the attached order  
 Other: \_\_\_\_\_

JUDGE CODE: \_\_\_\_\_ DATE: \_\_\_\_\_

**CLERK'S VERIFICATION**

Collected by: \_\_\_\_\_  
 (print name)

MOTION FEE COLLECTED: \_\_\_\_\_ DATE FILED: \_\_\_\_\_

CONTESTED B AMOUNT DUE: \_\_\_\_\_

SCCA/233(11/2003)

FILED  
CLERK OF COURT  
LANCASTER, SC  
2017 OCT -3 PM 1:55

STATE OF SOUTH CAROLINA  
COUNTY OF LANCASTER  
IN THE COURT OF COMMON PLEAS

FORM 4  
JUDGMENT IN A CIVIL CASE

C/A NO: 12-CP-29-0892

New York Community Bank,  
PLAINTIFF

Scott L. Butler; Jacqueline Butler; Mortgage  
Electronic Registration Systems, Inc., as nominee for  
Northstar Mortgage Group, LLC; and LVNV  
Funding, LLC,

DEFENDANT(S)

Submitted by: FINKEL LAW FIRM LLC  
Magalie A. Creech (SC Bar 78855)

Attorney for:  Plaintiff;  Defendant;  
or  Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

**JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.

**DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

**ACTION DISMISSED. (CHECK REASON)**  Rule 12(b), SCRCP;  Rule 41(a), SCRCP (Vol. Nonsuit);  Rule 43 (k), SCRCP (Settled);  Other \_\_\_\_\_

**ACTION STRICKEN. (CHECK REASON)**  Rule 40(j), SCRCP;  Bankruptcy;  Binding Arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other \_\_\_\_\_

**DISPOSITION OF APPEAL TO THE CIRCUIT COURT (Check applicable box):**  Affirmed;  Reversed;  Remanded;  Other \_\_\_\_\_

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow).  Statement of Judgment by the Court: Judgment of Foreclosure is vacated by consent order of parties.

ORDER INFORMATION

This order  ends  does not end the case.

Additional Information for the Clerk: \_\_\_\_\_

CLERK OF COURT  
LANCASTER, SC

2017 OCT -3 PM 1:55

FILED  
CLERK OF COURT  
LANCASTER, SC





# LAW OFFICE OF BRIDGET D SWING, PLLC

~ 101B Chadwick Square Court ~ Hendersonville, NC 28739 ~

BRIDGET D. SWING *licensed in SC & NC*  
Email: Bridget@BSwingLaw.com

Hendersonville: 828-393-4228  
Fax: 828-393-4229

October 6th, 2017

VIA FACSIMILIE and REGULAR US MAIL  
Honorable Jenny Abott Kitchings  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, South Carolina 29211


**RECEIVED**  
OCT 10 2017  
SC Court of Appeals

RE: Scott L. Butler and Jacqueline Butler, Appellants vs. New York Community Bank,  
Respondent Court of Common Pleas Case No: 12-CP-29-0892

Dear Ms. Kitchens:

Enclosed please find parties request for dismissal of the above captioned matter along with a copy of the lower court's Order Vacating judgment of Foreclosure and Sale. Please let me know if anything further is needed to consider the attached.

Sincerely,



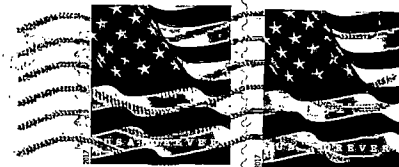
Bridget D. Swing

CC with enclosure: Ms. Magalie A. Creech, Esq, Finkel Law Firm, PO Box 71727, North Charleston, SC 29415

LAW OFFICE OF BRIDGET D SWING, PLLC  
101B Chadwick Square Court  
Hendersonville, NC 28739

GREENVILLE SC 296

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OCT 10 2017

SC Court of Appeals

Honorable Jenny Abott Kitchings  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, South Carolina 29211

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