

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Robert E. Hood, Circuit Court Judge

Appellate Case No. 2017-000180

U.S. Bank National Association, as
Trustee, as Successor-in-Interest to
Bank of America, N.A., as
Successor by Merger to Lasalle
Bank National Association, as
Trustee for the Registered Holders
of Bear Stearns Commercial
Mortgage Securities, Inc.,
Commercial Mortgage Pass-
Through Certificates, Series 2007-
TOP26,

Respondents,

v.

Appellants,

v.

AW-MAGPIG, LLC; HW-
MAGPIG, LLC; and MW-
MAGPIG, LLC,

Third-Party Defendants.

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SC Court of Appeals

Wells Fargo Bank, N.A., and
Meridian Capital Group, LLC,

**MOTION TO SUPPLEMENT THE RECORD ON APPEAL AND FOR
EXTENSION OF TIME TO FILE FINAL BRIEFS**

Appellants, by and through undersigned counsel, move the Court for an
Order allowing them to supplement the Record on Appeal and for an extension of
time to file the final briefs once the Record on Appeal is supplemented. The basis

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for this motion is set forth below.

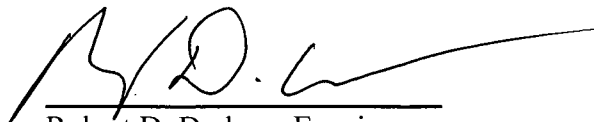
Respondent's Designation of Matter requested that the Affidavit of S. Michael Dickerson be included in the Record on Appeal. In the court below, Respondent's submitted multiple affidavits from S. Michael Dickerson and their Designation of Matter does not specifically identify which affidavit they wanted included in the Record on Appeal. For this reason, Appellant's Counsel inadvertently included a different Affidavit of S. Michael Dickerson in the originally filed Record on Appeal.

In addition, Appellant's Counsel inadvertently omitted a letter to lower court and email to the lower court that were included in Respondent's Designation of Matter.

Therefore, for the reasons outlined above, Appellant moves the Court for an Order allowing for a Supplemental Record on Appeal that specifically includes the three documents listed above and that extends the time for the parties to file their final briefs once the Supplemental Record of Appeal is filed with this Court. Appellant's Counsel has communicated with Respondent's Counsel and understands that they consent to this motion.

Respectfully submitted,

November 22, 2017
Columbia, South Carolina



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Attorney for Appellant

Other Counsel of Record for *Respondents*:

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(704) 338-5288 (James)
(704) 338-5287 (David)

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of America, N.A., as Successor by Merger
to Lasalle Bank National Association, as
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Inc., Commercial Mortgage Pass-Through
Certificates, Series 2007-TOP26,

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v.

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LLC; and MW-MAGPIG, LLC,

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v.

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Capital Group, LLC,

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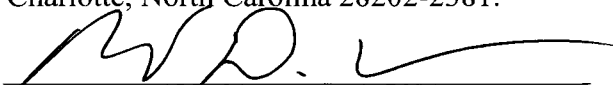
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PROOF OF SERVICE

I hereby certify that on November 22, 2017 I have served Respondents the MOTION TO SUPPLEMENT THE RECORD ON APPEAL AND FOR EXTENSION OF TIME TO FILE FINAL BRIEFS by depositing a copy of it in the United States Mail, postage prepaid, addressed to their attorneys of record, James H. Pulliam and David H. Simpkins, Kilpatrick Townsend & Stockton, LLP, 214 N. Tryon Street, Suite 2400, Charlotte, North Carolina 28202-2381.

November 22, 2017


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November 22, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: U.S. Bank National Association et. al. v. AW-MAGPIG, LLC et. al. ,
Docket No. 2016-CP-40-2470
Appellate Case No: 2017-000180

Dear Ms. Kitchings:

Enclosed for filing please find the original and three (3) copies of the following:

1. Motion to Supplement the Record on Appeal and for Extension of Time to File Final Briefs;
2. Proof of Service.

I have also included the \$25.00 filing fee and a return envelop so any unneeded copies of the motion can be clocked in and returned to me.

Thank you and with kind regards I am,

Very truly yours,

A handwritten signature in black ink, appearing to read 'R.D.', with a long horizontal flourish extending to the right.

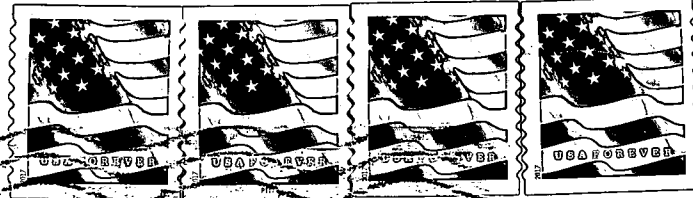
Robert D. Dodson

cc: James H. Pulliam, Esquire
David H. Simpkins, Esquire
Kilpatrick Townsend & Stockton, LLP
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Charlotte, NC 28202-2381

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The Honorable Jenny Abbott Kitchings
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