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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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DEC 04 2017

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Circuit

SC Court of Appeals

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2017-CP-10-0644

BMW of North America, LLC..... Defendant/Appellant

v.

AEP2, LLC f/k/a 2AM Group, LLC..... Plaintiff/Respondent

NOTICE OF APPEAL

Defendant/Appellant BMW of North America, LLC ("BMW"), hereby appeals from (a) the Order/Entry of Default against BMW signed by the Honorable Deadra L. Jefferson and entered on March 24, 2017 (attached as Exhibit A); (b) the Order denying BMW's Motion to Set Aside Entry of Default signed by the Honorable J.C. Nicholson, Jr., and entered on July 21, 2017 (attached as Exhibit B); (c) Order denying Motion for Reconsideration signed by the Honorable J.C. Nicholson, Jr., and entered on October 4, 2017 (attached as Exhibit C); (d) Order of Default Judgment against BMW in the amount of \$647,309.06, signed by the Honorable John C. Hayes, III, and entered on November 2, 2017 (attached as Exhibit D); (e) entry of judgment against BMW on November 2, 2017; and (f) Order of Default Judgment against BMW in the amount of \$633,206.06, entered on November 27, 2017 (attached as Exhibit E). Defendant/Appellant received written notice of the November 2, 2017 Order of Default Judgment on November 7, 2017.

December 1, 2017

BARNWELL WHALEY PATTERSON &
HELMS, LLC

By: 
M. Dawes Cooke, Jr., Esq.

S.C. Bar No. 1376

Anna L. Strandberg, Esq.

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Other Counsel of Record:

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Attorney for Defendant/Appellant BMW of North America

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BMW of North America, LLC.....Appellant

v.

AEP2, LLC f/k/a 2AM Group, LLC.....Respondent

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the above-referenced Respondent by depositing a copy of it in the United States Mail, postage prepaid, on December 1, 2017, addressed to its attorneys of record:

Thomas H. Pope, III, Esq.
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P.O. Box 190
Newbery, SC 29108

John P. Freeman, Esq.
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M. Dawes Cooke, Jr., Member
Anna L. Strandberg, Esquire
astrandberg@Barnwell-Whaley.com

December 1, 2017

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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RE: AEP2, LLC, f/k/a 2AM Group, LLC v. BMW of North America
Case No. 2017-CP-10-0644
Our File No.: 5330.001

Dear Madam Clerk:

Enclosed for filing is a Notice of Appeal on behalf of BMW of North America, LLC in the above-referenced matter. Also enclosed are the following:

1. Copies of the Orders which are to be challenged on appeal;
2. Proof of Service of the Notice of Appeal on Respondent; and,
3. A check in the amount of One Hundred Dollars (\$100.00) for the filing fee.

Please file the original and return the clocked copy of the Notice of Appeal and Proof of Service to me in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Anna L. Strandberg", is written over the typed name below it.

M. Dawes Cooke, Jr.
Anna L. Strandberg

MDCjr/ALS/jgc
Enclosures

cc (w/enclosures): Thomas H. Pope, III, Esquire
John P. Freeman, Esquire
Ashley B. Abel, Esquire

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REPRESENTING CLIENTS IN ALL COURTS IN SOUTH CAROLINA AND NORTH CAROLINA AND IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.



**BARNWELL
WHALEY** | **75**
PATTERSON & HELMS LLC | YEARS  1938-2013

P.O. Drawer H, Charleston, SC 29402-0197

5330.001
The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

