

87304

ELECTRONICALLY FILED - 2018 Jul 16 1:52 PM - LEXINGTON - COMMON PLEAS - CASE#2017CP3204509

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

The Honorable R. Knox McMahan, Circuit Court Judge

Case No. 2017-CP-32-04509

Fortress Homes, LLC, et. al. .... Respondent,

v.

Fortress Builders, LLC, et. al. .... Appellant.

**NOTICE OF APPEAL**

Fortress Builders LLC, William Sinnett, and Tim Kern hereby appeal the Order of the Honorable R. Knox McMahan filed on June 14, 2018. Appellants received written notice of entry of this Order on June 14, 2018.

July 16, 2018

MCANGUS GOUDELICK & COURIE, LLC

By: *s/ Brett H. Bayne*  
Brett H. Bayne  
Bar No.: 100018  
1320 Main Street, 10<sup>th</sup> Floor  
Columbia, South Carolina 29201  
803-227-2281

*Attorneys for Appellants*

**RECEIVED**

JUL 16 2018

**SC Court of Appeals**

[Please see following page]

Other Counsel of Record:

James Edward Bradley, Esquire  
Moore, Taylor & Thomas, P.A.  
Post Office Box 5709  
West Columbia, South Carolina 29171

Attorney for Respondent

James C. Adams II  
Brooks, Pierce, McLendon, Humphrey & Leonard, LLP  
Post Office Box 26000  
Greensboro, North Carolina 27420

Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

The Honorable Alison Renee Lee., Circuit Court Judge

Civil Action No.: 2017-CP-32-04509

**RECEIVED**  
JUL 16 2018  
SC Court of Appeals

Fortress Homes, LLC t/b/k/a Eastwood Homes of Cola, LLC ..... Respondent,

v.

Fortress Builders, LLC, Fortress Builders, LLC, Tim Kern, Fortress Realty, LLC, and Sinnett Realty, Inc.....Appellants.


**PROOF OF SERVICE**

I certify that I have served the Notice of Appeal on Ansel Harmon, by depositing a copy of it in the United States Mail, postage prepaid, addressed to his attorney of record,

James Edward Bradley, Esquire  
Moore, Taylor & Thomas, P.A.  
Post Office Box 5709  
West Columbia, South Carolina 29171

James C. Adams, II  
Brooks, Pierce, McLendon, Humphrey & Leonard, LLP  
Post Office Box 26000  
Greensboro, North Carolina 27420

July 16, 2018

  
Brett H. Bayne, Bar No: 100018  
Post Office Box 12519, Capitol Station  
Meridian, 1320 Main Street, 10<sup>th</sup> Floor (29201)  
Columbia, South Carolina 29211-2519  
(803) 779-2300  
*Attorneys for Appellants*

for  
BHD

**Reply To**

BRETT H. BAYNE  
Direct Dial: (803) 227-2281  
Brett.bayne@mgclaw.com

July 16, 2018

**RECEIVED**  
JUL 16 2018  
SC Court of Appeals

**Via Hand Delivery**

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

RE: Fortress Homes, LLC t/b/k/a Eastwood Homes of Columbia, LLC vs.  
Fortress Builders, LLC, William Sinnett, Tim Kern, Fortress Realty, LLC and  
Sinnett Realty, Inc. vs. Allen Nason, Kevin Hutchins, Clark Stewart, Joe  
Stewart, Justin Myers, Grant Thornton LLP, Wade Kruse, Patrick Mcauley,  
Cherry Bekaert LLP, Anna Townsend  
Lexington Court of Common Pleas Docket No.: 2017-CP-32-04509  
Our File No.: 20841.17002  
Appellate Tracking No.:

Dear Ms. Kitchings:


Please find enclosed for filing the original and one (1) copy of Notice of Appeals in the above-referenced matter. I have also enclosed a \$100.00 filing fee. I would appreciate your returning a clocked-in copy of same to me in the enclosed, self-addressed stamped envelope.

By copy of this letter, I am serving counsel of record with the above-referenced Notice of Appeals.

If you have any questions, please contact me.

Yours truly,

McAngus Goudelock & Courie, LLC

  
Brett H. Bayne *for* **BHB**

**Enclosures**

cc: James Edward Bradley, Esquire  
James C. Adams, II, Esquire