

**ADDITIONAL
RECORD OF APPEAL**

AND

TRANSCRIPT

Was originally filed April 30th, 2018

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and
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- A. *Note that Gardner had previously removed unlawful proceedings to Federal Court, then filed a chapter 13 in spring of 2017.*
- B. DEUTSCHE filed a Motion to Restore.....2
- C. Gardner filed a Notice of Hearing and a Motion to Set and Readiness for Trial July 27th, to be heard August 23rd, 2017 at the Jasper County Court of Common Pleas, set to be heard on August 24th, 2017 at the Ridgeland Court House.....8
- D. DEUTSCHE filed a Notice and Request for a Supplemental hearing August 7th, 2017 to be heard on September 5th, 2017 at the Law Office of Benjamin CP Sapp in Walterboro, Colleton county.....12
- E. Gardner filed an Objection to the Supplemental Hearing, was to also be heard August 24th, 2017 in Jasper County. Both hearing, Objection to the Supplemental Hearing and Notice of Hearing and a Motion to Set and Readiness for Trial, were then cancelled just. prior claiming it would need to be heard on September 5th, 2017 at the Law Office of Benjamin CP Sapp and not in the Jasper County Court of Common pleas or by Judge Mullen who had been involved with the case.....16
- F. Gardner contacted Mr. Benjamin Sapp by telephone August 31st, making it very clear that my presence there would simply be to attend the hearing for both Gardner's Motions. And that Gardner needed a hearing before September 5th, 2017. Mr. Sapp could not and said we can do this September 5th. Gardner re - iterated several times that she did not at all consent to the unlawful supplemental hearing. Gardner was then told by Mr. Sapp no worries that both Motion's would be heard prior to DEUTSCHE's supplemental hearing. Sadly I was lied too into a trap.....*Full Hearing Transcript starts...*.....29
- G. Transcript of hearing dated September 5th clearly states that Gardner did not consent to any supplemental hearing and was only present for her Motion's to be heard. Gardner was DENIED HER RIGHT(S) and conveniently was denied her Trail and the other Motion obviously also denied.

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STATE OF SOUTH CAROLINA
COUNTY OF JASPER

IN THE COURT OF COMMON PLEAS
CASE NO.: 2015-CP-27-00524

Deutsche Bank National Trust Company, as
Trustee for GSAA Home Equity Trust 2006-17,
Asset-Backed Certificates, Series 2006-17,

Plaintiff,

vs.

Louise Legare-Gardner; CIT Bank, National
Association s/b/m to IndyMac Bank, F.S.B.,

Defendant(s).

MOTION TO RESTORE

The undersigned attorney for Brock & Scott, PLLC, Attorneys for the Plaintiff, has moved before this Court to restore the above-captioned case. Based upon the record in this case, I make the following findings of salient fact and conclusion of law:

1. In the above-captioned action, at the request of the Plaintiff, the case was stricken from the file book by an Order of Stay filed previously with the Jasper County Clerk of Court due to the Defendant(s), Louise Legare-Gardner filing under Chapter 13 of the United States Bankruptcy Code.
2. The bankruptcy has been dismissed by order of the Bankruptcy Court dated June 9, 2017 (a copy attached hereto as Exhibit "A").
3. In the interest of judicial economy, justice and equity and for good cause shown, this case shall be restored.
4. This case has been referred to The Honorable Benjamin C.P. Sapp, Special

CASE NO.: 2015-CP-27-00524



Page 1 of 2

15-23075



Referee for Jasper County for final disposition, and a final hearing shall be held at such date and time as may hereinafter be set.

I SO MOVE:

s/ Bradford M. Stokes

Bradford M. Stokes, SC Bar 78032
Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia, SC 29210
Phone: 803-454-3540
Attorney for Plaintiff

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

Deutsche Bank National Trust Company, as
Trustee for GSAA Home Equity Trust 2006-17,
Asset-Backed Certificates, Series 2006-17,

Plaintiff,

vs.

Louise Legare-Gardner; CIT Bank, National
Association s/b/m to IndyMac Bank, F.S.B.,

Defendant(s).

IN THE COURT OF COMMON PLEAS

CASE NO.: 2015-CP-27-00524

ORDER TO RESTORE

The undersigned attorney for Brock & Scott, PLLC, Attorneys for the Plaintiff, has moved before this Court to restore the above-captioned case. Based upon the record in this case, I make the following findings of salient fact and conclusion of law:

1. In the above-captioned action, at the request of the Plaintiff, the case was stricken from the file book by an Order of Stay filed previously with the Jasper County Clerk of Court due to the Defendant(s), Louise Legare-Gardner filing under Chapter 13 of the United States Bankruptcy Code. 2. The bankruptcy has been dismissed by order of the Bankruptcy Court dated June 9, 2017 (a copy attached hereto as Exhibit "A").

3. In the interest of judicial economy, justice and equity and for good cause shown, this case shall be restored.

4. This case has been referred to The Honorable Benjamin C.P. Sapp, Special Referee for Jasper County for final disposition, and a final hearing shall be held at such date and time as may hereinafter be set.

THEREFORE, based upon the motion of the undersigned Attorney for the Plaintiff, and upon my review of the record in this case,

IT IS ORDERED that the above-captioned action shall be restored to the file book

and shall return to the status the case held immediately prior to the order of stay filed June 6, 2017.

AND IT IS SO ORDERED.

JUDGES SIGNATURE PAGE FOR FREE

**U.S. BANKRUPTCY COURT
District of South Carolina**

EXHIBIT
"A"

Case Number: **17-02306-jw**

ORDER ON MOTION TO DISMISS CASE

The relief set forth on the following pages, for a total of 2 pages including this page, is hereby ORDERED.

**FILED BY THE COURT
06/09/2017**



Entered: 06/09/2017

John E. Waites

US Bankruptcy Judge ©
District of South Carolina

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

LOUISE LEGARE GARDNER

Debtor(s).

CHAPTER 13

CASE NO: 17-02306-JW

ORDER DISMISSING CASE ON MOTION OF
DEBTOR(S)

This matter is before the Court on a motion to dismiss pursuant to 11 U.S.C. § 1307(b) filed by LOUISE LEGARE GARDNER.

IT IS ORDERED that:

1. The case of LOUISE LEGARE GARDNER is dismissed; and
2. Any fees due to the Clerk of Court pursuant to 28 U.S.C. § 1930 and the appendix thereto, shall be paid within ten (10) days of the entry of this Order, unless otherwise ordered by the Court.

AND IT IS SO ORDERED.

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER
IN THE COURT OF COMMON PLEAS**

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAA
HOME EQUITY TRUST 2006-17,
ASSET-BACKED CERTIFICATES,
SERIES 2006-17**

PLAINTIFF

v.

CASE NO. 2015-CP-27-00524

LOUISE LEGARE-GARDNER

DEFENDANT

**NOTICE OF HEARING ON DEFENDANT'S MOTION TO SET AND
CERTIFICATE OF READINESS FOR TRIAL**

PLEASE TAKE NOTICE that the defendant's Motion to Set and Certificate of Readiness for Trial will be brought to be heard before this court on August 23rd 2017 at 9:00 AM before Judge Benjamin C.P. Sapp.

Please govern yourselves accordingly.

DATED this 26th day of July 2017.



Louise Legare Gardner, Defendant

**2017 JUL 28 AM 10: 59
CLERK OF COURT
JASPER COUNTY**

FILED

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER
IN THE COURT OF COMMON PLEAS**

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAA
HOME EQUITY TRUST 2006-17,
ASSET-BACKED CERTIFICATES,
SERIES 2006-17**

PLAINTIFF

v.

CASE NO. 2015-CP-27-00524

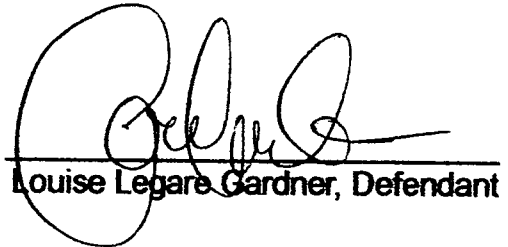
LOUISE LEGARE-GARDNER

DEFENDANT

MOTION TO SET AND CERTIFICATE OF READINESS FOR TRIAL

The defendant Louise Legare Gardner hereby certifies that the above captioned matter is at issue and ready for trial and requests a trial scheduling order from the court.

DATED this 28 day of July 2017.



Louise Legare Gardner, Defendant

2017 JUL 28 AM 10: 59
CLERK OF COURT
JASPER COUNTY

FILED

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER
IN THE COURT OF COMMON PLEAS**

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAA
HOME EQUITY TRUST 2006-17,
ASSET-BACKED CERTIFICATES,
SERIES 2006-17

PLAINTIFF

v.

CASE NO. 2015-CP-27-00524

LOUISE LEGARE-GARDNER

DEFENDANT

_____ /

CERTIFICATE OF SERVICE

I Louise Legare Gardner hereby certify that a true and correct copy of the foregoing was mailed to the plaintiff's attorney, Bradford M Stokes other involved Heather Cox, Chad Burgess, William P Stork by first class mail to: 3800 Fernandina Road, Suite 110, Columbia, SC 29210, on this 28 day of July 2017.

By: UG

2017 JUL 28 AM 10:59
CLERK OF COURT
JASPER COUNTY

FILED

CHIEF ADMINISTRATIVE JUDGE
14TH JUDICIAL CIRCUIT

Common Pleas
265 Russell Street
Ridgeland, SC 29936-0248

CLERK OF COURT
JASPER COUNTY

2017 AUG - 8 PM 4: 55

FILED

RE: 2015CP2700524
Gardner

Deutsche Bank National Trust Company VS Louise Legare-

The above referenced case will be placed on the Docket for motion to be heard the week beginning August 24, 2017 at 9:30 AM in Jasper County Courthouse, Courtroom 2ND FLOOR, located at 265 Russell Street. This Roster is available at www.sccourts.org.

ALL motions on this roster are subject to be heard. Any request for a continuance is considered a Motion and requires a \$25.00 Motion fee, which must be paid at the time of the request. Requests may be submitted to the presiding judge. If your motion is settled, please notify us in writing immediately.

If you have any communication regarding this motion, please do NOT call this office. Please send it in writing, via fax (843) 726-7711 or e-mail at the following address: mbostick@jaspercountysc.gov.

WAS CANCELLED BY CLERK.
JUST PRIOR TO THE HEARING
TOLD ME I HAD TO ATTEND
SEPTEMBER 5TH HEARING
WITH REFERENCE

Margaret Bostick

August 8, 2017



Consumer Hotline
844-856-6646
Phone:
803-454-3540

3800 Fernandina Road, Suite 110, Columbia, SC 29210
ConsumerContact@brockandscott.com
www.brockandscott.com

Fax:
803-454-3541

August 7, 2017

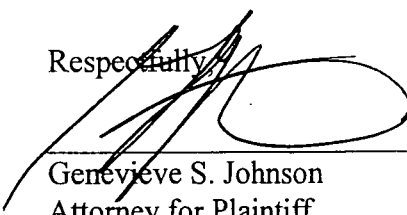
RE: Deutsche Bank National Trust Company, as Trustee for GSAA Home Equity Trust 2006-17, Asset-Backed Certificates, Series 2006-17 v. Louise Legare-Gardner, *et al.*
Case Number: 2015-CP-27-00524
B&S File No.: 15-23075 FC01

Ms. Louise Legare-Gardner:

We received your Notice of Hearing and, after contacting the Court regarding the scheduled date, the Judge's office informed us that no hearing has been scheduled for the date mentioned in your Notice of Hearing. The date you requested is not available due to a scheduling conflict. Therefore, the Judge provided a hearing date of September 5, 2017 at 1:00PM. Enclosed, please find a copy of Notice for Supplemental Hearing in the above referenced case. Any motions you have filed will also be heard at that time.

If you have any questions or conflicts, please contact our office.

Respectfully,



Genevieve S. Johnson
Attorney for Plaintiff
Brock & Scott, PLLC

Enclosures

15-23075 FC01





Consumer Hotline
844-856-6646
Phone:
803-454-3540

3800 Fernandina Road, Suite 110, Columbia, SC 29210
ConsumerContact@brockandscott.com
www.brockandscott.com

Fax:
803-454-3541


August 7, 2017

To All Interested Parties:

RE: Deutsche Bank National Trust Company, as Trustee for GSAA
Home Equity Trust 2006-17, Asset-Backed Certificates, Series
2006-17 v. Louise Legare-Gardner, et al.
Case Number: 2015-CP-27-00524
B&S File No.: 15-23075 FC01

Please find enclosed herewith and served upon you the Notice of Supplemental Hearing which includes the date, time and location of the final foreclosure hearing in the above referenced matter. Please read the document carefully and notify us at (803) 454-3540 if you plan to attend the hearing.

Respectfully,


Brittany R. Sloan
Litigation Paralegal
Brock & Scott, PLLC

Enclosures

cc: The Honorable Benjamin C.P. Sapp

*****THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE RECEIVED A DISCHARGE IN BANKRUPTCY, AND YOU HAVE NOT REAFFIRMED THIS DEBT, THIS NOTICE CONSTITUTES NEITHER A DEMAND FOR PAYMENT NOR A NOTICE OF PERSONAL LIABILITY.*****

STATE OF SOUTH CAROLINA
COUNTY OF JASPER

IN THE COURT OF COMMON PLEAS
C/A NO.: 2015-CP-27-00524

Deutsche Bank National Trust Company, as
Trustee for GSAA Home Equity Trust 2006-
17, Asset-Backed Certificates, Series 2006-
17,

Plaintiff,

vs.

Louise Legare-Gardner; CIT Bank, National
Association s/b/m to IndyMac Bank, F.S.B.,
Defendant(s).

**NOTICE OF SUPPLEMENTAL
HEARING**

YOU WILL PLEASE TAKE NOTICE THAT, by virtue of the Order of Reference issued in the above-entitled cause, The Honorable Benjamin C.P. Sapp, Special Referee for Jasper County, has appointed September 5, 2017 at 1:00PM at 125 S. Jeffries Blvd., Walterboro, SC 29488, as the time and place for holding a Supplemental Hearing in Foreclosure, at which time and place all interested parties will appear, and that the Plaintiff intends to prepare and submit a Record of Hearing containing written testimony. The Special Referee will be authorized to enter a final judgment and to order the judicial sale of the property subject to foreclosure herein.

You are requested to notify Brock & Scott, PLLC at phone number (803) 454-3540 of your intention to appear.

s/ Genevieve S. Johnson

Genevieve S. Johnson, SC Bar No: 78480
Brock & Scott, PLLC
Westpark Center
3800 Fernandina Road Suite 110
Columbia, SC 29210
Phone 803-454-3540 Fax 803-454-3541
Attorneys for Plaintiff

Dated: August 7, 2017
Columbia, South Carolina

15-23075 FC01



STATE OF SOUTH CAROLINA
COUNTY OF JASPER
Deutsche Bank National Trust Company, as
Trustee for GSAA Home Equity Trust 2006-
17, Asset-Backed Certificates, Series 2006-
17,

Plaintiff,

vs.

Louise Legare-Gardner; CIT Bank, National
Association s/b/m to IndyMac Bank, F.S.B.,
Defendant(s).

IN THE COURT OF COMMON PLEAS
C/A NO.: 2015-CP-27-00524

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee of Brock & Scott, PLLC, and is a person of such age and discretion as to be competent to serve papers.

That on the 7th day of August, 2017, she served a copy of the Notice of Supplemental Hearing by placing said copy in a postage paid envelope addressed to each of the following persons at the address stated below, which is the last known address, and by depositing said envelope and contents in the U.S. Mail.

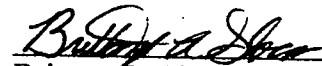
Pleading: Notice of Supplemental Hearing
Party (ies) Served:

Occupant(s)
1471 South Okatie Highway
Hardeeville, SC 29927

Louise Legare-Gardner
Post Office Box 3443
Bluffton, SC 29910

CIT Bank, National Association s/b/m to
IndyMac Bank, F.S.B.
c/o Officer or Authorized Agent
2150 South 1300 East, Suite 400
Salt Lake City, UT 84106

The Honorable Benjamin C.P. Sapp
Jasper County Special Referee
PO Box 258
Walterboro, SC 29488



Brittany R. Sloan
Litigation Paralegal
Brock & Scott, PLLC

Columbia, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

IN THE COURT OF COMMON PLEAS

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAA
HOME EQUITY TRUST 2006-17, ASSET
BACKED CERTIFICATES, SERIES 2006-17**

PLAINTIFF(S)

CASE NO. 2015-CP-27-00524

v.

**LOUISE LEGARE- GARDNER, CTI BANK, NATIONAL
ASSOCIATION S/B/M TO INDYMAC BANK F.S.B;
DEFENDANT(S)**

**CLERK OF COURT
JASPER COUNTY**


117 SEP - 1 PM 1: 15

FILED

**DEFENDANT'S OBJECTION TO HEARING SCHEDULE
AND REQUEST FOR TRIAL SCHEDULING ORDER**

Defendant **objects** to the hearing scheduled **unilaterally** by the plaintiff and the clerk and requests that this court establish a trial scheduling order at the time set for hearing of September 5th 2017. The defendant has provided an affidavit supporting this motion.

DATED this 31st day of August 2017.



Louise Legare Gardner, Defendant

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAA
HOME EQUITY TRUST 2006-17, ASSET
BACKED CERTIFICATES, SERIES 2006-17
PLAINTIFF(S)

v.

CASE NO. 2015-CP-27-00524

LOUISE LEGARE – GARDNER; CTI BANK,
NATIONAL ASSOCIATION S/B/M TO INDYMAC
BANK F.S.B;
DEFENDANT(s)

CLERK OF COURT
JASPER COUNTY

17 SEP - 1 PM 1:15

FILED

AFFIDAVIT IN SUPPORT OF OBJECTION

AND REQUEST FOR TRIAL SCHEDULING ORDER

STATE OF SOUTH CAROLINA)
) ss
COUNTY OF JASPER)

I, Louise Legare Gardner do hereby solemnly affirm that the statements herein are true and correct, in substance and in fact, to wit:

Before I left town I filed A NOTICE OF HEARING AND A MOTION TO SET AND CERTIFICATE OF READINESS FOR TRIAL in July for Case # 2015- CP 27-00524 I told Miss Bostick and reminded her of the 2 motions and the fact I was leaving town and needed to be contacted on the dates of hearings when the schedule is available, She re confirmed she would.

Around the 10th of August I had not heard anything I called the court spoke with the assistant she told me Clerk was absent for several days she would get back to me I told her it was urgent I needed to know the court dates on both hearings

regarding the 2 MOTIONS she told me it would not be heard and somehow one case number was an incorrect case. After speaking with 2 different people I requested the hearing be set ASAP and corrected.

They told me Miss Bostick would be calling the office and they would get back to me. No one called.... 3 days later I called back I was transferred to the scheduling person she told me the problem had been fix and I would have the -0524 on the Thursday the 24th of August and 0171 on Friday the 25th of August. I returned home the 22nd of August went to the post office to get my mail had 3 hearing notices not 2. Contacted the clerk Miss Bostick on the 23rd of August she was there. She said one case was an error cancelled the hearing. The other case 0524 she said would not take place it had to be heard by original referee in a different county. I was not to happy and requested she contact the Judge and set up a hearing ASAP she confirmed she would call Mr. Sapp right away HIS OFFICE and would send the MOTION to the JUDGE IF SHE HAD NOT BEEN DONE YET SO AND WOULD GET BACK TO ME ASAP. SHE DIDN'T GET BACK TO ME.

It's worth nothing also that on the 22nd OF AUGUST I HAD ALSO RECEIVED A NOTICE FROM ATTORNEYS ON THE SAME CASE REGARDING A NOTICE OF SUPPLEMENTAL HEARING AND HEARING SET FOR SEPT 5 TH ON THE FORECLOSURE AND SALE OF MY HOME. IT HAD BEEN FILED by attorneys 2 days after receiving my MOTION FOR TRAIL ON THE SAME CASE. I just have to wonder how the attorneys have no problem getting hearings and are given special treatment, while I am denied access to the court like I'm some kind of dog.

In my other case pending before this court, just to illustrate that this problem is systemic; ON August 25th I attended the hearing for MOTION for SJ on 0171 JUDGE could not give me my Judgment because of Clerk error and was postponed ALL THE WAY TO OCTOBER because the clerk's office mis-informed me and dint mail the NOTICE OF HEARING TO DEFENDANT(S)

On FRIDAY THE 25th I forwarded all documents on case number 0524 in an email requesting an order and court hearing date, to referee JUDGE SAPP.

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

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAA
HOME EQUITY TRUST 2006-17, ASSET
-BACKED CERTIFICATES, SERIES 2006-17

PLAINTIFF(s)

v.

CASE NO. 2015-CP-27-00524

LOUISE LEGARE- GARDNER, CTI
BANK, NATIONAL ASSOCIATION S/B/M
TO INDYMAC BANK F.S.B;

DEFENDANT(s)

_____ /

CERTIFICATE OF SERVICE

I Louise Legare Gardner hereby certify that a true and correct copy of the foregoing was sent to Plaintiff's attorney, by first class mail addressed to: Chad Burgess, at the office address of 3800 Fernandina Road, Suite 110, Columbia, SC 29210 and Genevieve S. Johnson at the address of 3800 Fernandina Road, Suite 110, Columbia, SC 29210, on this 1st day of September 2017.

By: 

17 SEP - 1 PM 1:16
CLERK OF COURT
JASPER COUNTY

FILED

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

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAA
HOME EQUITY TRUST 2006-17,
ASSET-BACKED CERTIFICATES,
SERIES 2006-17**

PLAINTIFF

v.

CASE NO. 2015-CP-27-00524

LOUISE LEGARE GARDNER

DEFENDANT

PROPOSED TRIAL SCHEDULING ORDER

This matter having been heard before this court on defendant's Request for Trial Scheduling Order and the court been properly advised in the premises, it is **HEREBY ORDERED AND ADJUDGED,**

Setting a pre-trial conference for the date of December 7th 2017 and a trial for February 21st 2018; both parties must complete discovery before the pre-trial conference date.

DATED this ____ day of September, 2017.

JUDGE:

Copy to:

**William Stork, Plaintiff's attorney
3800 Fernandina Road, Suite 110, Columbia, SC 29210**

**Louise Legare Gardner, Defendant
Post Office Box 3443; Bluffton, South Carolina [29910]**

STATE OF SOUTH CAROLINA
COUNTY OF JASPER

IN THE COURT OF COMMON PLEAS
CASE NO.: 2015-CP-27-00524

Deutsche Bank National Trust Company, as
Trustee for GSAA Home Equity Trust 2006-
17, Asset-Backed Certificates, Series 2006-
17,

Plaintiff,

v.

Louise Legare-Gardner; CIT Bank, National
Association s/b/m to IndyMac Bank, F.S.B.,

Defendant(s)

ORDER DENYING DEFENDANT'S
OBJECTION TO HEARING SCHEDULE
AND REQUEST FOR TRIAL SCHEDULING
ORDER/MOTION TO SET AND
CERTIFICATE OF READINESS FOR TRIAL
AND
ORDER GRANTING PLAINTIFF'S
REQUEST TO RE-SET PROPERTY FOR
FORECLOSURE SALE

Pursuant to Rule 53 of the South Carolina Rules of Civil Procedure (hereinafter "SCRCP"), the above-entitled matter was referred to the undersigned Special Referee to make appropriate findings of fact and conclusions of law, with authority to enter a final Judgment in the cause.

PROCEDURAL BACKGROUND:

1. Plaintiff filed a mortgage foreclosure action on December 7, 2015.
2. Defendant Louise Legare-Gardner (hereafter Defendant Gardner) was properly served with the Summons and Complaint on January 20, 2016.
3. In response, Defendant Gardner filed a document entitled "Notice about Citizenship," "Affidavit of Facts Concerning American Citizens" and Response to Complaint on February 16, 2016.
4. On February 24, 2016, the case was referred to the Honorable Benjamin C.P. Sapp as Special Referee.
5. Pursuant to said reference, a hearing was held on April 1, 2016.

File reference: 15-23075

CID487422

DID200284

6. An Order Granting Plaintiff's Motion to Strike, pursuant to Rule 12 (f) of the South Carolina Rules of Civil Procedure was entered on April 25, 2016.
7. An Order entitled "Special Referee's Order and Judgment of Foreclosure and Sale" (hereinafter "Order") was entered on April 25, 2016.
8. The Order was not appealed.
9. On June 1, 2016, Defendant Gardner filed a Notice of Removal to Federal Court.
10. The case was remanded back to state court by order of the U.S. District Court for South Carolina filed on February 1, 2017.
11. The property was reset for the May 9, 2017 foreclosure sale and a copy of the Notice of Sale was filed on April 4, 2017.
12. In response, Defendant Gardner filed a Judicial Notice of Disclaiming Trusteeship and Affidavit in Support on April 21, 2017, as well as filed an untimely additional response to the Summons and Complaint and several other nonsensical documents.
13. On May 5, 2017, Defendant Gardner filed Chapter 13 Bankruptcy and the case was stayed by order filed June 5, 2017.
14. The bankruptcy was dismissed by order of the Bankruptcy Court dated June 9, 2017.
15. The case was restored by Order filed July 10, 2017.
16. Defendant Gardner filed a Motion to Set Trial and Request for Trial Scheduling Order and Objection to Hearing Scheduled (hereafter "Motions").
17. Said Motions were heard on September 5, 2017.

FINDINGS OF FACT:

18. All findings of fact, conclusions of law, orders and judgments contained in the Special Referee's Order and Judgment of Foreclosure Sale entered April 25, 2016, remain binding and in full force and effect.

19. As Judgment, has already been granted. the Defendant's Motions are not timely and are thus rendered moot.

CONCLUSIONS OF LAW: I, therefore, conclude as follows:

1. That the Plaintiff has a valid judgment of foreclosure of its mortgage; and the mortgaged property should be ordered sold at public auction after due advertisement.
2. Defendant's Motions are denied.
3. Plaintiff may proceed to the November 7, 2017 foreclosure sale or any sale thereafter.

AND IT IS SO ORDERED.



The Honorable Benjamin C.P. Sapp
Special Referee for Jasper County

Date: 9/21/17

Walterboro, South Carolina

NOTICE OF SALE

NOTICE OF SALE CIVIL ACTION NO. 2015-CP-27-00524 BY VIRTUE of the decree heretofore granted in the case of: Deutsche Bank National Trust Company, as Trustee for GSAA Home Equity Trust 2006-17, Asset-Backed Certificates, Series 2006-17 vs. Louise Legare-Gardner; CIT Bank, National Association s/b/m to IndyMac Bank, F.S.B., the undersigned Special Referee for Jasper County, South Carolina, will sell on November 7, 2017 at 11:00AM, at the Jasper County Courthouse, City of Walterboro, State of South Carolina, to the highest bidder:

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LYING, BEING AND SITUATE IN JASPER COUNTY, SOUTH CAROLINA, BEING KNOWN AS LOT C, PHASE III, DELTA PLANTATION ESTATES, CONTAINING 0.87 ACRES, MORE OR LESS. FOR A MORE DETAILED DESCRIPTION REFERENCE IS CRAVED TO THAT CERTAIN SURVEY PREPARED FOR STEVE HOBBS BY SEA ISLAND LAND SURVEY, LLC, DATED JUNE 20, 2006 AND RECORDED IN PLAT BOOK 29 AT PAGE 104 IN THE OFFICE OF THE CLERK OF COURT FOR JASPER COUNTY, SOUTH CAROLINA.

THIS BEING THE SAME PROPERTY CONVEYED TO LOUISE LEGARE-GARDNER BY DEED OF COOK AND COOK ASSOCIATES, LLC DATED JULY 18, 2006 AND RECORDED AUGUST 1, 2006 IN BOOK 452 AT PAGE 228, AND RE-RECORDED ON NOVEMBER 1, 2011 IN BOOK 816 AT PAGE 639 IN THE RECORDS FOR JASPER COUNTY, SOUTH CAROLINA.

ALSO

THIS BEING THE SAME PROPERTY CONVEYED TO OKATYS LLC BY DEED OF LOUISE LEGARE-GARDNER DATED AUGUST 15, 2008 AND RECORDED

File reference: 15-23075

CID487422

DID200351

SEPTEMBER 2, 2008 IN BOOK 693 AT PAGE 77 IN THE RECORDS FOR JASPER COUNTY, SOUTH CAROLINA.

ALSO

THIS BEING THE SAME PROPERTY CONVEYED TO LOUISE LEGARE-GARDNER BY DEED OF OKATYS LLC DATED DECEMBER 9, 2009 AND RECORDED DECEMBER 9, 2009 IN BOOK 780 AT PAGE 190 IN THE RECORDS FOR JASPER COUNTY, SOUTH CAROLINA.

CURRENT ADDRESS OF PROPERTY: 1471 South Okatie Highway, Hardeeville, SC 29927

TMS: 038-00-06-126

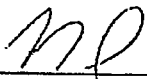
TERMS OF SALE: The successful bidder, other than the Plaintiff, will deposit with the Special Referee, at conclusion of the bidding, five percent (5%) of his bid, in cash or equivalent, as evidence of good faith, same to be applied to the purchase price in case of compliance, but to be forfeited and applied first to costs and then to the Plaintiff's debt in the case of non-compliance. Should the last and highest bidder fail to comply with the other terms of the bid within thirty (30) days, then the Special Referee may re-sell the property on the same terms and conditions on some subsequent Sales Day (at the risk of the said highest bidder). No personal or deficiency judgment being demanded, the bidding shall not remain open after the date of sale and shall be final on that date, and compliance with the bid may be made immediately. Purchaser to pay for documentary stamps on the Deed. The successful bidder will be required to pay interest on the amount of the balance of the bid from date of sale to date of compliance with the bid at the rate of 3.375% per annum. The sale shall be subject to taxes and assessments, existing easements and restrictions, easements and restrictions of record and any other senior encumbrances.

In the event an agent of Plaintiff does not appear at the time of sale, the within property shall be withdrawn from sale and sold at the next available sales date upon the terms and conditions as set forth in the Judgment of Foreclosure and Sale or such terms as may be set

File reference: 15-23075

forth in a supplemental order.

Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia, SC 29210
Attorneys for Plaintiff



The Honorable Benjamin C.P. Sapp
Special Referee for Jasper County