

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Case No. 2018-CP-12-00117  
2018-AP-12-00074

**RECEIVED**  
JAN 31 2019  
SC Court of Appeals

Heidi Gersten, Ivanka Ayoub, Daniel Hubbard.....Plaintiffs,

Of whom Heidi Gersten and Ivanka Ayoub are, .....Appellants.

v.

Kevin Carter, Richard Davis, Joseph Tribovich, Nationwide Mutual Insurance Company,  
Interinsurance Exchange of The Automobile Club, John Ammendola, Trustguard Insurance  
Co., Blackwell, SC Department of Public Safety, Chevrolet, GMS, Unknown Joe Does,  
.....Respondents.

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**AFFIDAVIT OF FACTS**


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I, Wesley B. Sawyer, being first duly cautioned and sworn, state as follows:

1. I am the attorney for Respondents Kevin Carter and Richard Davis.
2. I mailed copies of the September 18, 2018 Order to Appellants on September 19, 2018.
3. I received a Notice of Appeal by certified mail on October 22, 2018 (attached to Respondents Carter's and Davis's Memorandum of Authorities in Support of Motion to Dismiss as Exhibit D, including a double-sided copy of the mailing envelope with a stamped date of receipt). As noted in the Certificate of Service and the date stamp on the envelope, it appears the First Notice of Appeal was mailed on October 19, 2018.
4. I received a second Notice of Appeal by certified mail on November 21, 2018 (attached to Respondents Carter's and Davis's Memorandum of Authorities in Support of Motion to Dismiss as Exhibit E). As noted in the Certificate of Service and the postage stamp

on the envelope, it appears the Second Notice of Appeal was mailed on November 15,  
2018.

Further Affiant sayeth naught.

  
\_\_\_\_\_  
Wesley B. Sawyer

SWORN TO and subscribed before me this

30<sup>th</sup> day of January, 2019

Orlene L. Black (L.S.)  
Notary Public for SC

My Commission Expires: 7-29-19

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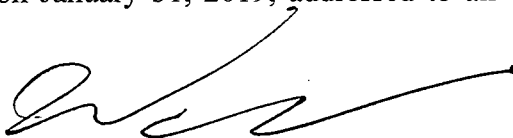
Kevin Carter, Richard Davis, Joseph Tribovich, Nationwide Mutual Insurance Company, Interinsurance Exchange of The Automobile Club, John Ammendola, Trustguard Insurance Co., Blackwell, SC Department of Public Safety, Chevrolet, GMS, Unknown Joe Does,

.....Respondents.

**PROOF OF SERVICE**

I certify that I have served the Motion to Dismiss Appeal as to Kevin Carter and Richard Davis, Affidavit of Facts, and Memorandum of Authorities in Support of Respondents Kevin Carter's and Richard Davis' Motion to Dismiss by depositing a copy of it in the United States Mail, postage prepaid, on January 31, 2019, addressed to all attorneys of record listed below.

January 31, 2019



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