

ORIGINAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2014-002574

Joseph Anthony Gelotte,

Respondent,

v.

Davis Roofing and Maintenance, LLC, and Jerry Davis, Appellants.

RECORD ON APPEAL

RECEIVED

MAR 23 2015

SC Court of Appeals

Thomas A. Belenchia, Esq.
PO Box 3421
Spartanburg, SC 29304
(864) 699-9801
Attorney for Appellants

T. Camden Shealy, Esq.
1989 S. Pine St.
Spartanburg, SC 29302
(864) 699-9801
Attorney for Appellants

Larry E. Gregg, Esq.
1989 S. Pine St.
Spartanburg, SC 29302
(864) 699-9801
Attorney for Appellants

Jeremy A. Dantin, Esq.
PO Box 3547
Spartanburg, SC 29304
(864) 585-5100
Attorney for Respondent

Donald C. Coggins, Esq.
PO Box 3547
Spartanburg, SC 29304
(864) 585-5100
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2014-002574

Joseph Anthony Gelotte,

Respondent,

v.

Davis Roofing and Maintenance, LLC, and Jerry Davis, Appellants.

RECORD ON APPEAL

Thomas A. Belenchia, Esq.
PO Box 3421
Spartanburg, SC 29304
(864) 699-9801
Attorney for Appellants

T. Camden Shealy, Esq.
1989 S. Pine St.
Spartanburg, SC 29302
(864) 699-9801
Attorney for Appellants

Larry E. Gregg, Esq.
1989 S. Pine St.
Spartanburg, SC 29302
(864) 699-9801
Attorney for Appellants

Jeremy A. Dantin, Esq.
PO Box 3547
Spartanburg, SC 29304
(864) 585-5100
Attorney for Respondent

Donald C. Coggins, Esq.
PO Box 3547
Spartanburg, SC 29304
(864) 585-5100
Attorney for Respondent

INDEX

Order dated June 19, 2014	2
Order dated October 22, 2014	6
Notice of Motion and Motion to Reconsider, Alter, or Amend	15
Notice of Appeal	17
Plaintiff's Complaint	19
Defendants' Answer and Counterclaims	24
Plaintiff's Reply to Defendant's Answer and Counterclaims	25
Testimony of Joseph Gelotte	29
Cross Examination	52
Redirect Examination	65
Plaintiff's Exhibit 1	69
Plaintiff's Exhibit 2	70
Plaintiff's Exhibit 3	72
Plaintiff's Exhibit 4	79
Plaintiff's Exhibit 5	82
Plaintiff's Exhibit 6	83
Plaintiff's Exhibit 7	88
Plaintiff's Exhibit 8	93
Plaintiff's Exhibit 9	98
Plaintiff's Exhibit 10	106
Defendants' Exhibit 1	113
Defendants' Exhibit 2	114
Certificate of Appellant	118

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

Joseph Anthony Gelotte,

Plaintiff,

-vs-

Davis Roofing and Maintenance,
LLC, and Jerry E. Davis

Defendants.

IN THE COURT OF COMMON PLEAS

Civil Case Number: 2013-CP-42-05437

ORDER

C.A. No.: 2011-CP-42-4630

This matter came before the court on May 7, 2014 for a trial on the merits. Plaintiff was present at the hearing with his attorney, Mr. Donald C. Coggins, Jr., Esq. The defendant was not present at the hearing but was represented by counsels of record Mr. Larry Eugene Gregg II, Esq. and Mr. T. Camden Shealy, Esq. Prior to taking testimony, defense counsel requested the hearing to be continued because the defendant was not present. The motion was denied.

After ruling on the request for continuance, the case proceeded with a trial on the merits. This is a claim for unpaid wages in the nature of unpaid commissions. As admitted by the defendant in his assertion of a counterclaim, there was an employment relationship between the defendant and plaintiff, the terms of which were expressed in an e-mail from March 5, 2011.

The terms of the relationship, as described in the March 5, 2011 email, were that Mr. Davis would be both a roofing salesman and a sales trainer. The agreement specified that Mr. Davis would advance Mr. Gelotte \$1,500 dollars per week and settle up with him on his commission once per month between the first and the tenth of each month. Commission would be 20 percent of the net profit after all expenses have been totaled and subtracted from the job.

SCANNED

91

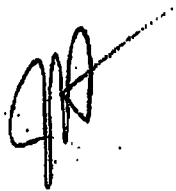
2014 JUN 19 PM 4:1
CLERK OF COURT
SPARTANBURG COUNTY
M. HOPE BLANKET

The e-mail also stated that Mr. Gelotte was to receive vehicle compensation and compensation for other expenses such as office supplies and equipment.

The plaintiff was the only witness called at the hearing. The plaintiff appeared to the court to be credible while on the witness stand, and the plaintiff's testimony was further supported by a detailed accounting of the work he performed, the pay he did receive, and the additional pay he should have received from the defendant. Despite any inconsistencies revealed during cross-examination, the greater weight of the evidence clearly supports the plaintiff's position that he was hired to be a roofing salesman and he was to be paid in accordance with the agreement set forth in the confirming email.

The detailed and credible accounting of the jobs sold and commissions owed stands in stark contrast to the description of the manner in which the plaintiff and other employees were often paid. It was explained to the court that employees were often paid in cash and no company records were presented to the contrary. Accordingly, the court infers that no such records were maintained or only minimally maintained.

The plaintiff testified that all interactions between himself and Mr. Davis were personal dealings. They would meet every week or so and Mr. Davis would pay with cash for the agreed upon base pay or advance against commissions. On a couple of occasions, Mr. Davis had him endorse back a check for part of the prior cash payments. The plaintiff was never paid by company check as part of the company payroll. In addition, the plaintiff never received a Form W-2 or Form 1099 from Davis Roofing and Maintenance, LLC. Unlike all other employees of the company, the plaintiff apparently had a personal agreement with the defendant, an agreement which was not managed by the company.



FILED
CLERK OF COURT
JUL 19 PM 4:19
HILL COUNTY
TEXAS

Therefore, as owner of Davis Roofing and Maintenance, LLC., the individual defendant, Mr. Davis, is responsible as an employer under the Payment of Wages Act, S.C. Code Ann. § 41-10-10(1). Defendant Davis was an "agent or officer... employing any person in [South Carolina]" under § 41-10-10(1), thus he is personally liable for the violations of the Payment of Wages Act. *See Dumas v. InfoSafe Corp.*, 320 S.C. 188, 195, 463 S.E.2d 641, 645 (Ct. App. 1995).

Section 41-10-40 of the Act generally requires an employer to timely pay all wages due. S.C. Code Ann. § 41-10-40. The Act defines "wages" as "all amounts ... which are due to an employee under any ... employment contract." S.C. Code Ann. § 41-10-10(2). The defendant failed to timely pay all wages due to the plaintiff in this case, thus Mr. Gelotte may recover an amount "equal to three times the full amount of the unpaid wages, plus costs and reasonable attorney's fees as the court may allow." S.C. Code Ann. § 41-10-80.

After reviewing the evidence and considering the testimony of the plaintiff, the court has determined that the plaintiff is entitled to an award of \$11,730.68. This amount is the difference between the wages and commissions the plaintiff was owed (\$32,010.68), and the wages and commissions that the plaintiff received (\$20,280.00). Because there is no evidence of any bona fide dispute over the non-payment of these wages, the plaintiff is also entitled to treble damages under the Act, totaling to an award of \$35,192.04. This is three times the amount of the unpaid wages owed to the plaintiff.

The plaintiff is also entitled to attorney's fees under S.C. Code Ann. § 41-10-80. Because no affidavit regarding attorney's fees was presented at the hearing, the court will leave the record open for a period of ten (10) days for plaintiff to submit an affidavit specifying the attorney's fees. The court will submit a supplemental order regarding the fees.



CLERK OF COURT
JANIS H. COOPER
2014 JUN 19 PM 4:19
COURT REPORTER
JANIS H. COOPER

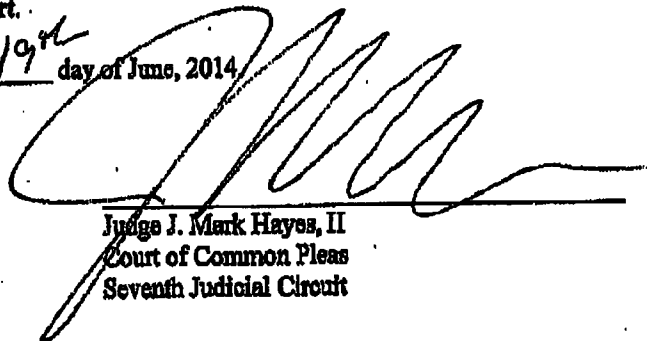
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

(1) Plaintiff shall have judgment against the defendants herein, and each of them, in the amount of \$35,192.04. This amount represents three (3x) times the amount due Plaintiff for unpaid wages.

(2) Plaintiff is also entitled to reasonable attorney's fees for the prosecution of this action. Plaintiff's counsel is directed to forward to this court an affidavit specifying the attorney's fees and costs of this case within ten (10) days from the date of this Order.

(3) Plaintiff will be awarded his reasonable attorney's fees and the costs of this action by Supplemental Order of this Court.

IT IS SO ORDERED this 19th day of June, 2014.



Judge J. Mark Hayes, II
Court of Common Pleas
Seventh Judicial Circuit

Spartanburg, South Carolina

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2014 JUN 19 PM 4:19
M. HOPE BLANKLEY

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF SPARTANBURG)

C.A. No.: 2011-CP-42-04630

Joseph Anthony Gelotte,)

Plaintiff,)

FINAL ORDER

-vs-)

Davis Roofing and Maintenance,)
LLC, and Jerry E. Davis,)

Defendant.)

This matter is now before the court upon Plaintiff's request for statutorily authorized attorney's fees and costs, and upon Defendant's motion to reconsider, alter, or amend this court's prior judgment. For the reasons that follow, Plaintiff's request is granted and Defendants' motion is denied.

I. BACKGROUND

This case was heard on May 5th, 2014. Neither the defendant nor a representative of his company was present. Defendant's attorney requested a continuance, but because no proper reason was given for the defendant not being present, the request was denied. The only evidence taken was Mr. Joseph Gelotte's testimony and the exhibits introduced during his examination and cross-examination. These exhibits included Defendant Davis's email regarding employment terms, Gelotte's spreadsheet of jobs sold and commissions due, Mr. Gelotte's spreadsheet of jobs in progress when he ended his employment with Davis, and Davis's checks made payable to Gelotte. This evidence was uncontroverted and received without objection.

II. APPLICABLE LAW

Defendant requests a motion to reconsider, alter, or amend pursuant to South Carolina Rules of Civil Procedure 52(b) 59(e), and 60.

I. Rule 52(b)

Rule 52(b) provides, in pertinent part:

Upon motion of a party made not later than 10 days after receipt of written notice of entry of judgment the court may amend its findings or make additional findings and may amend the judgment accordingly, and the motion may be made with a timely motion for a new trial, S.C.R. Civ. P. 52(b).

II. Rule 59

Rule 59 provides, in pertinent part:

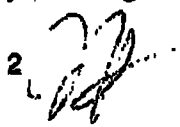
- (a) **Grounds.** A new trial may be granted to all or any of the parties and on all or part of the issues (1) in an action in which there has been a trial by jury, for any of the reasons for which new trials have heretofore been granted in actions at law in the courts of the State; and (2) in an action tried without a jury, for any of the reasons for which rehearings have heretofore been granted in the courts of the State. On a motion for a new trial in an action tried without a jury, the court may open the judgment if one has been entered, take additional testimony, amend findings of fact and conclusions of law or make new findings and conclusions, and direct the entry of a new judgment. S.C.R. Civ. P. 59(a).
- (e) **Motion to Alter or Amend a Judgment.** A motion to alter or amend the judgment shall be served not later than 10 days after receipt of written notice of the entry of the order. S.C.R. Civ. P. 59(e).

III. Rule 60

Rule 60 provides, in pertinent part:

- (b) **Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud, etc.** On motion and upon such terms as are just the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been

2



discovered in time to move for a new trial under Rule 59(b)....S.C.R. Civ. P. 56

III. SUMMARY OF ARGUMENTS

A. Defendants motion to reconsider, alter, or amend

The underlying facts and nature of Plaintiff's claims are set out in this Court's initial order dated June 19, 2014 and will not be repeated here. In this motion, Defendants specifically state that such is being filed "for the correction of the manifest errors of law and fact" contained in this court's prior Order. However, no specific errors are articulated in the motion. Instead, Defendants ask the court to consider three issues:

1. Whether the Plaintiffs representation to the IRS that he received income from two checks was an admission;
2. Whether a bona fide dispute existed as to unpaid wages because the Plaintiff claimed that he was never paid by check yet the Plaintiff endorsed two cashed checks with his signature, the checks listed the Plaintiffs driver license number, and the Plaintiff represented to the IRS that he had received income from the two checks; and
3. Whether the court should have held that the Plaintiff was overpaid by the defendants using the preponderance of the evidence standard.

Based on the statement of these three issues, Defendants seek a ruling that reverses the findings in the [prior] Order and holds that the Defendants overpaid the Plaintiff."

B. Plaintiff's response to motion to reconsider, alter, or amend

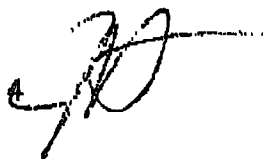
Plaintiff first argues that all issues not addressed in the motion are waived. Accordingly, the only properly addressed issues in defendants' motion are the three specifically named. All other issues are forever waived, because it is now more than ten

days since notice of judgment. Next, Plaintiff Gelotte addresses each of Defendants' arguments in turn.

First, Gelotte argues that he never represented to the IRS that he received income from two checks. Instead, he signed and returned the checks with the understanding that the checks were documentation of earlier cash payments. Gelotte does not deny that he received cash payments in an amount equal to the two checks; however, more compensation was owed. The additional compensation due was established by uncontroverted evidence at trial.

Similarly, Plaintiff's response to Defendant's second argument focuses on the uncontroverted trial evidence. Gelotte argues that there is no bona fide dispute as to the unpaid wages. Gelotte's position is that the checks he received were only documentation of the earlier cash advances against commissions, and do not create any bona fide dispute as to the additional wages due. Gelotte reported to the IRS income equal to the two checks. But there is no evidence that Gelotte received these checks in addition to the earlier cash payments.

Furthermore, Gelotte argues that he was usually paid the agreed weekly advance, and when Davis refused to pay the additional commissions due under their agreement, Gelotte resigned. There is no evidence whatsoever of record to contradict this position. Evidence of a bona fide dispute is "conflicting testimony," or a "failure to manifest mutual assent regarding terms of payment." See *Goodwyn v. Shadowstone Media, Inc.*, 757 S.E. 2d 560, 563 (S.C. Ct. App. 2014); see *O'Neal v. Intermedial Hospital of S.C.*, 585 S.E. 2d 526, 531-532 (S.C. Ct. App. 2003). Given these definitions, Gelotte's position is that there is no dispute without conflicting evidence.



In addition, Gelotte argues that subsequent representations made to the IRS have no impact on his claim, because the relevant time for determination is when the wages were withheld. *Mathis v. Brown and Brown*, 698 S.E. 2d 773, 781-782. So even if his representation to the IRS was an admission—it is immaterial to this proceeding and meaningless.

Lastly, Gelotte argues that there is no credible evidence that he was overpaid by Davis. The uncontroverted evidence to the contrary is more than enough to meet the preponderance standard in Gelotte's favor.

IV. FINDINGS ON DEFENDANTS' MOTION

Based on the Court's review of the pleadings, evidence of record, and the arguments above, the court cannot grant the present motion. Moreover, the court believes that the record is sufficient and no further briefing or oral argument would assist the court in ruling on this matter. The court finds that the plaintiff made a credible presentation both by his testimony and the exhibits introduced into evidence. By contrast, Defendant Davis' unexcused absence prevented him from presenting testimony which may have been helpful to his company and himself. Not only does the court find that no manifest error of law has occurred, the Court specifically finds that its prior Order is supported by the greater weight of the evidence.

V. PLAINTIFF'S REQUEST FOR ATTORNEY FEES AND COSTS

Plaintiff's Complaint in this action contains a second cause of action brought pursuant to the South Carolina Payment of Wages Act in which Plaintiff requests attorney's fees and costs as allowed by the statute. At the time of trial on May 5, 2014, Plaintiff's counsel requested, and was granted, leave to file an affidavit in support of the



request for fees and costs. In this Court's Order of June 19, 2014, the Court specifically found that Plaintiff was entitled to an award of attorney's fees pursuant to S.C. Code Annot. §41-10-80. Counsel was given ten (10) days from the date of the Order to submit an affidavit in support of such fees.

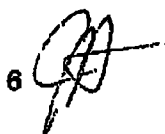
Plaintiff's counsel submitted his affidavit as to attorney fees dated June 10, 2014. Attached as Exhibit A was the counter-signed engagement letter evidencing an agreement as to a 35% contingency fee with a minimum fee of \$3,500.00. An itemized time and expense billing statement was attached as Exhibit B. As per that statement, counsel had spent 42.10 hours on this matter valued at \$14,735.00, together with costs advanced of \$1,105.97. Based upon the Court's award of \$35,192.04, a 35% contingency fee would equate to \$12,317.21.

Based upon the fee agreement with the Plaintiff, the documented expenditure of more than 40 hours on this matter, the successful result obtained, and counsel's recognized experience and standing in this area of the law, the court finds that an award of attorney's fees in the amount of \$12,317.21 is both reasonable and appropriate.

VI. FINAL ORDER

Based upon the foregoing, the Final Order of the court in this matter is as follows:

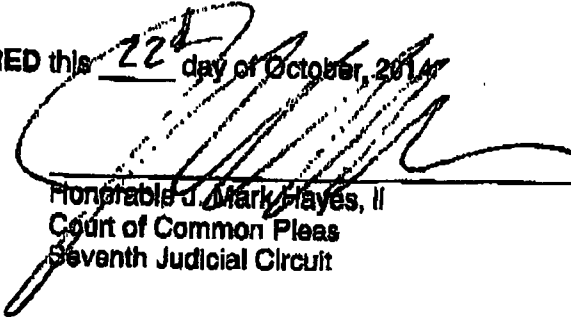
- (1) Plaintiff is granted judgment against the Defendants herein, and each of them, in the amount of Thirty-five thousand one hundred ninety-two and 04/100 (\$35,192.04) Dollars (representing three times the amount of unpaid wages proven and as allowed by the applicable statute);
- (2) Plaintiff is also granted judgment against the Defendants herein, and each of them, for the further sum of Twelve thousand three hundred seven and 21/100 (\$12,317.21) Dollars (representing reasonable attorney's fees as allowed by the applicable statute); and

6 

OCT 22 AM 10:35
CLERK
CLERK

- (3) Plaintiff is also granted judgment against the Defendants herein, and each of the, for the further sum of Two hundred seventy-one and 72/100 (\$271.72) Dollars for the costs of this action pursuant to Rule 54(d) and (e), SCRCP.

AND IT IS SO ORDERED this 22nd day of October, 2014.


Honorable J. Mark Hayes, II
Court of Common Pleas
Seventh Judicial Circuit

Spartanburg, South Carolina

CLERK
SEAL/STAMP
2014 OCT 22 AM 10:35
M. ROSE BLANCHLEY

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2014 CP-42-04630

Joseph Anthony Galotte

Davis Roofing and Maintenance, LLC

PLAINTIFF(S)

and Jerry E. Davis
DEFENDANT(S)

Submitted by: Donald C. Coggina, Jr.

Attorney for: ☒ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Joseph Anthony Galotte	Davis Roofing and Maintenance, LLC and Jerry E. Davis	\$47,780.97
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order.

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

Donald C. Coggins, Jr.,
Harrison, White, Smith & Coggins, P.C.
P.O. Box 3547
Spartanburg, SC 29304

ATTORNEY(S) FOR THE PLAINTIFF(S)

Larry E. Gregg, II
T. Camden Shealy
1889 S. Pine Street
Spartanburg, SC 29301

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

JOSEPH ANTHONY GELOTTE,

Plaintiff,

vs.

DAVIS ROOFING AND MAINTENANCE,
LLC AND JERRY E. DAVIS

Defendant(s).

IN THE COURT OF COMMON PLEAS

NOTICE OF MOTION AND
MOTION TO RECONSIDER, ALTER, OR
AMEND

CASE NO.: 2011- CP-42-4630

TO: THE HONORABLE J. MARK HAYES, II, and
DONALD C. COGGINS, JR., ESQ., ATTORNEY FOR THE PLAINTIFF

YOU WILL PLEASE TAKE NOTICE that the undersigned, as counsel for the Defendants, Davis Roofing and Maintenance LLC and Jerry E. Davis, will move before the Honorable J. Mark Hayes, II at such time and place as the court may designate pursuant to Rules 52(b), 59(e), and 60 of the South Carolina Rules of Civil Procedure, to reconsider, alter or amend the Order of Judgment filed June 19, 2014 and received by defense counsel on June 23, 2014 for the correction of the manifest errors of law and fact contained in the Order. Defense counsel respectfully requests rulings on the following issues:

1. Whether the Plaintiff's representation to the IRS that he received income from two checks was an admission.
2. Whether a bona fide dispute existed as to unpaid wages because the Plaintiff claimed that he was never paid by check yet the Plaintiff endorsed two cashed checks with his signature, the checks listed the Plaintiff's driver's license number, and the Plaintiff represented to the IRS that he had received income from the two checks.

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2014 JUN 27 11:17
M. HOPE BLANCHARD

3. Whether the court should have held that the Plaintiff was overpaid by the Defendants using the preponderance of the evidence standard.

WHEREFORE, the Defendants seek a ruling from this Honorable Court that reverses the findings in the Order and holds that the Defendants overpaid the Plaintiff.

RESPECTFULLY SUBMITTED this the 27th day of June, 2014.

A BUSINESS LAW FIRM, LLC.

Attorneys for Defendant

By: Thomas Camden Shealy
Thomas A. Belenchia, SC Bar No: 2391
T. Camden Shealy, SC Bar No: 101447
Larry E. Gregg II, SC Bar No: 101215
P.O. Box 3421
Spartanburg, SC 29304
Phone: (864) 699-9801

Spartanburg, South Carolina
June 27, 2014

FILED
2014 JUN 27 PM 1:17
M. HOPE BLANCHLEY

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY

Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Case No. 2011-CP-42-4630

Joseph Anthony Gelotte,

Respondent,

v.

Davis Roofing and Maintenance, LLC,
and Jerry E. Davis,

Appellants.

NOTICE OF APPEAL

Davis Roofing and Maintenance, LLC and Jerry E. Davis appeal the order of the Honorable J. Mark Hayes, II, dated June 19, 2014, and the order dated October 22, 2014 denying the Appellants' Motion to Reconsider, Alter, or Amend per South Carolina Rules of Civil Procedure Rules 52(b), 59(e), and 60. Appellants' filed and served the Motion to Reconsider, Alter, or Amend on June 27, 2014, and received notice of the order disposing of that Motion on October 28, 2014.

November 21, 2014.



Thomas A. Belenchia

T. Camden Shealy

Larry E. Gregg

A BUSINESS LAW FIRM, LLC

Post Office Box 3421

Spartanburg, South Carolina 29304

(864) 699-9801

Attorneys for Appellants

Other Counsel of Record:

Donald C. Coggins, Jr., Esquire

HARRISON, WHITE, SMITH, AND COGGINS, P.C.

PO Box 3547

**Spartanburg, SC 29304
(864) 583-5099
Attorney for Respondent**

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT

Joseph Anthony Gelotte,
Plaintiff,

-vs-

Davis Roofing and Maintenance,
LLC, and Jerry E. Davis,
Defendants.

COMPLAINT
(Non-Jury)

C.A. No.: 2011-CP-42-4630

The Plaintiff herein, by and through his undersigned counsel of record, would respectfully show unto the Court that:

GENERAL ALLEGATIONS

1. The Plaintiff is a citizen and resident of Spartanburg County, South Carolina.
2. Defendant Davis Roofing and Maintenance, LLC ("DRM") is, upon information and belief, a limited liability company organized and existing under the laws of the state of South Carolina and transacting business in Spartanburg County, South Carolina.
3. Defendant Jerry E. Davis ("Davis") is, upon information and belief, likewise a citizen and resident of Spartanburg County, South Carolina and is the principal owner or manager of Defendant DRM.
4. On or about March 5, 2011 Plaintiff was hired by Defendant Davis to perform work as a sales representative for Defendant DRM as evidenced by email transmission of same date attached hereto and incorporated by reference herein as Exhibit A.

FILED
CLERK OF COURT
SPARTANBURG COUNTY
OCT 26 PM 3:15
M. HOPE BLACKLEY

5. Plaintiff did in fact go to work as a sales representative for the Defendants and continued to work for them in that capacity until on or about June 10, 2011 when he resigned.

6. Plaintiff resigned his employment due to Defendants' failure to pay him commissions and wages as agreed. Plaintiff is informed and believes that he is due approximately Eleven thousand and no/100 (\$11,000.00) Dollars in unpaid commissions and wages, but would ask this court to make an accounting of the sales and expenses for a more accurate amount.

7. Following Plaintiff's resignation from Defendants, he accepted employment with another employer.

8. Plaintiff is informed and believes that Defendant Davis and/or his son, one Shane Davis, did contact Plaintiff's new employer in an inappropriate and illegal effort to have Plaintiff fired.

FOR A FIRST CAUSE OF ACTION
(Breach of Contract)

9. The foregoing allegations contained in this Complaint are incorporated by reference herein as fully as if restated verbatim.

10. The Plaintiff is informed and believes that the Defendant's offer of employment as set forth in Exhibit A attached hereto, together with Plaintiff's acceptance of those terms by appearing and performing work pursuant thereto constitutes a contractual relationship between the parties.

11. Plaintiff is further informed and believes that Defendants' failure to pay Plaintiff wages and commissions as agreed constitutes a breach of that contract.

FILED
CLERK OF COURT
SPRINGFIELD
2011 OCT 26 PM 3:11
MHOPE BLACKLEY

12. As a direct and proximate result of said breach, Plaintiff has been injured and damaged in amounts to be proven at the trial of this case.

13. Accordingly, Plaintiff is informed and believes that he is entitled to recover from the Defendants compensatory damages in an amount to be determined at the trial of this case, together with incidental and consequential damages as well.

FOR A SECOND CAUSE OF ACTION
(Wage Payment Claim)

14. The foregoing allegations contained in this Complaint are incorporated by reference herein as fully as if restated verbatim.

15. Plaintiff is informed and believes that he was entitled by statute to be paid all wages due him at the time of his resignation or at the Defendants' next regularly scheduled pay day which could not be more than thirty days following said resignation.

16. Defendants have at all times pertinent herein failed and refused to pay the wages due to Plaintiff despite demand for same.

17. Accordingly, therefore, the Plaintiff is informed and believes that he is entitled to judgment against the Defendants, and each of them, for the amount of his wages and commissions due, that amount trebled as per statute, together with his reasonable and necessary attorney's fees and costs for this action.

FOR A THIRD CAUSE OF ACTION
(Defamation)

18. The foregoing allegations contained in this Complaint are incorporated by reference herein as fully as if restated verbatim.

19. Plaintiff is informed and believes that Defendant Davis, or his associate Shane Davis, did contact Plaintiff's new employer on or about the last week of July

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2011 OCT 26 PM 3:11
M. HOPE BLANKLEY

2011, indicating that Plaintiff had materially misrepresented his availability and fitness for work in that Plaintiff allegedly had signed a "non-compete agreement" with Defendants which precluded his then current employment.

20. Plaintiff is informed and believes that no such agreement exists nor has any such agreement been produced to Plaintiff's counsel after request for same.

21. Plaintiff is informed and believes that Defendants actions in this regard were a blatant attempt to sabotage Plaintiff's new employment for false and defamatory reasons.

22. Plaintiff is informed and believes that the false and defamatory matter was published by the Defendants with malice in retaliation for Plaintiff's insistence that he be paid the wages to which are due him.

23. Plaintiff has suffered legally presumed special damages including embarrassment, humiliation, and mental anguish as a result of the injury to his reputation with his current employer and the necessity of trying to explain Defendants' actions in such a manner as to save his current employment.

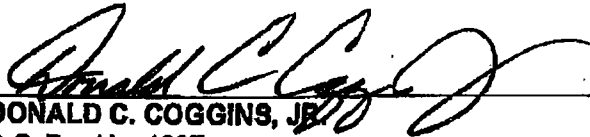
24. Plaintiff is informed and believes as a direct and proximate result of the conduct as set forth above, the Defendants, and each of them, should be held liable for both compensatory and punitive damages in amounts to be determined appropriate by a jury at the trial of this case.

WHEREFORE, Plaintiff prays for judgment against the Defendants herein, and each of them, consistent with causes of action set forth hereinabove, for the costs of this action, and for such other and further relief as this Court deems just and proper.

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2011 OCT 26 PM 3:11
J. HOPE BRACKLEY

HARRISON, WHITE, SMITH AND COGGINS, P.C.

By:


DONALD C. COGGINS, JR.
S.C. Bar No. 1307

178 W. Main Street
P.O. Box 3547
Spartanburg, SC 29304
(864) 585-5100 - phone
(864) 542-2993 - fax
dcoggins@spartanlaw.com

Attorneys for Plaintiff

Spartanburg, South Carolina

October 26, 2011.

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2011 OCT 26 PM 3:11
M. HOPE BLACKLEY

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

JOESEPH GELOTTE,

Plaintiff,

vs.

DAVIS ROOFING AND MAINTENANCE,
LLC AND JERRY DAVIS

Defendant(s).

IN THE COURT OF COMMON PLEAS

ANSWER TO COMPLAINT AND
COUNTERCLAIMS

CASE NO.: 2011 - CP-42-4630

TO: Donald Coggins, attorney for Plaintiff:

Comes now the Defendants, by and through their Attorney, Answer to the Complaint of the Plaintiff, would respectfully allege and show unto the Court as follows:

FOR A FIRST DEFENSE

1. Each and every allegation not hereinafter specifically admitted, qualified or explained is denied and strict proof demanded thereof.
2. Defendants would deny the allegations contained in paragraphs 4, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, and 24 of the Complaint and would demand strict proof thereof.
3. Defendants admit the allegations contained in Plaintiffs Complaint Paragraphs, 2, and 3.
4. Defendants are without sufficient knowledge and information to admit the allegations contained in Paragraphs 1, 5 and 7 and would demand strict proof thereof, therefore the Plaintiffs' allegations are denied.

5. Defendants deny the allegations contained in paragraph 8, in that Defendants never contacted Plaintiff's employer and demand strict proof thereof. Additionally, Defendants assert that Shane Davis is not an employee, officer or agent of the Defendants in this matter nor has Shane Davis been made a party to this action. And any alleged actions Shane Davis took were not authorized or representative of the Defendants. Therefore, Defendants demand this be stricken.
6. Defendants deny the allegations contained in paragraph 19, in that Defendants never contacted Plaintiff's employer and demand strict proof thereof. Additionally, Defendants assert that Shane Davis is not an employee, officer or agent of the Defendants in this matter nor has Shane Davis been made a party to this action. And any alleged actions Shane Davis took were not authorized or representative of the Defendants. Therefore, Defendants demand this be stricken.

SECOND DEFENSE AND COUNTERCLAIM AGAINST PLAINTIFF

JOSEPH GELOTTE

(Unjust Enrichment)

7. Defendants incorporate herein by reference the above allegations which are consistent herewith as if set forth verbatim herein.
8. Plaintiff worked for the Defendants for approximately 3 months.
9. Plaintiff was overpaid for the work that he performed during that time.
10. That Plaintiff realized the benefits of the overpayment which is unjust.
11. That Plaintiff's retention of that benefit is unjust to retain without paying its value.
12. That Defendant seeks the return of all overpayment for any and all work performed while a Contactor of the Defendants.

THIRD AND AFFIRMATIVE DEFENSES

13. The proceeding allegations set forth in the defense above are incorporated in and made a part of this defense as fully as if repeated herein.

14. Defendants would show unto the Court that any damage or loss sustained were proximately caused and occasioned by the acts and omissions of Plaintiff Joseph Gelotte or by others.
15. Defendants plead release, waiver, estoppel, setoff, Truth, failure to state a claim for which relief can be granted, laches, failure to mitigate damages, unclean hands, and the intervening acts and omissions of Plaintiff, Joseph Gelotte and/or others as affirmative defenses.
16. Defendants, plead South Carolina Rules of Civil Procedure, 12(b)(6) – Failure to state facts sufficient to constitute a cause of action and 12 (f) Motion to Strike.

WHEREFORE, the Defendants having fully Answer the Complaint of the Plaintiff herein, the Defendants pray:

- (a) That this Court inquire into this matter, dismiss so much of the Complaint that is inconsistent with this Response;
- (b) That the Defendants be awarded the amount of overpayment made to the Plaintiff;
- (c) That the Defendants be awarded reasonable attorney's fees, costs and expenses incurred by Defendants in this case, and for such other and further relief as this Court may deem just and proper.

A BUSINESS LAW FIRM, LLC.

Attorneys for Plaintiff

By: 

Thomas A. Belenchia, Bar No. 2371

John Strickland, Bar No: 76210

P.O. Box 3421

Spartanburg, SC 29304

Phone: (864) 439-8401

FAX: (864) 949-5251

tab@abizlaw.com

jos@abizlaw.com

Date: Nov 29, 2011

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT

Joseph Anthony Gelotte,
Plaintiff,

REPLY TO DEFENDANTS' ANSWER
TO COMPLAINT AND COUNTERCLAIMS

-vs-

Davis Roofing and Maintenance,
LLC, and Jerry E. Davis,
Defendants.

C.A. No.: 2011-CP-42-4630

The Plaintiff herein, by and through his undersigned counsel of record, hereby
replies to the Defendants' Answer to Complaint and Counterclaims as follows

FOR A FIRST DEFENSE

1. Each and every allegation set forth in Plaintiff's Complaint is hereby
reaffirmed and realleged as if restated verbatim.

2. With respect to each and every allegation contained in Defendant's
Answer to Complaint and Counterclaims, to the extent that any such
inconsistent with the allegations contained in Plaintiff's Complaint, the same are here-
denied.

FOR A SECOND DEFENSE

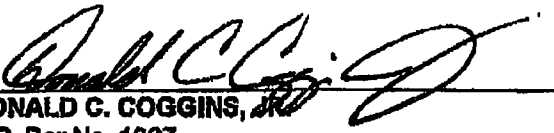
3. The foregoing allegations contained in this Reply are incorporated by
reference herein as fully as if restated verbatim.

4. Plaintiff is informed and believes that Defendants' counterclaims as set
forth in Paragraphs 7 and following of the Defendants' Answer to Complaint and
Counterclaims fail to set forth facts sufficient to state a cause of action upon which relief
could be granted against the Plaintiff and, therefore, should be dismissed.

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2011 DEC 9 PM 4:22
MARJORIE BLACKLEY

WHEREFORE, having fully replied to the Defendants' Answer to Complaint and Counterclaim, Plaintiff prays that the same be dismissed with prejudice and that he be granted judgment against the Defendants consistent with the causes of action set forth in his Complaint, that he be granted the costs associated with this action, together with such other and further relief as this Court deems just and proper.

HARRISON, WHITE, SMITH AND COGGINS, P.C.

By: 
DONALD C. COGGINS, JR.
S.C. Bar No. 1307

178 W. Main Street
P.O. Box 3547
Spartanburg, SC 29304
(864) 585-5100 - phone
(864) 542-2003 - fax
dcoggins@spartanlaw.com

Attorneys for Plaintiff

Spartanburg, South Carolina

December 16, 2011.

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2011 DEC 19 PM 4:22
M. HOPE BLACKLEY

P R O C E E D I N G S

(WHEREUPON, the proceedings begin on the 5th day of May, 2014 at approximately 2:03 p.m.)

THE COURT: All right. I have got down that the next matter is Joseph Gelotte versus Davis Roofing. Uh, I have got this down that this is the actual trial of the case. All right. Anything before we proceed with the presentation of the testimony?

MR. COGGINS: Your Honor, Don Coggins on behalf of the plaintiff, Joe Gelotte. I don't believe there is anything from the plaintiff. I did receive from the defense this morning a motion in limine that I believe need to be taken up.

THE COURT: All right. Yes, sir?

MR. SHEALY: Your Honor, I'm Camden Shealy and my associate, Larry Gregg, on behalf of the defendant in this case. Our client, uh, Jerry Davis is not present today. He was unaware of the -- he says he was unaware of the rolling docket and did not realize that the case would be rescheduled for today if the cases before it settled. He is asking that we request a motion for continuance.

THE COURT: All right. Why did he not know about that?

1 **MR. SHEALY:** We told him, Your Honor. I can
2 only guess that it was a lapse in memory. I'm not
3 sure.

4 **THE COURT:** All right. Okay. All right.
5 Mr. Coggins, you have a position?

6 **MR. COGGINS:** Well, Your Honor, we're here
7 and ready to go forward. We would object to any
8 continuance at this point in time. As I understand
9 counsel's representation to the Court, counsel
10 personally informed the defendant of the need to be
11 here.

12 **THE COURT:** I would, uh, -- I would deny the
13 motion.

14 **MR. SHEALY:** Yes, Your Honor.

15 **THE COURT:** We can proceed. My
16 understanding is this is a nonjury matter. At some
17 point, you can ask for some other type of relief if
18 it became necessary.

19 **MR. SHEALY:** Yes, Your Honor. I think that
20 takes care of the motion in limine.

21 **THE COURT:** Okay. All right. The Plaintiff
22 ready?

23 **MR. COGGINS:** Yes, Your Honor. We are.

24 **THE COURT:** All right.

25 **MR. COGGINS:** Your Honor, at this time, we

1 called the plaintiff, Joe Gelotte, to the stand.

2 **THE COURT:** Sir, just come right up here.
3 You can place those papers on the table. See that
4 Bible?

5 **THE WITNESS:** Yes, sir.

6 **THE COURT:** Place your left hand on the
7 Bible and raise your right hand and let me swear
8 you in.

9 **JOSEPH GELOTTE**

10 having first been duly sworn, testifies as follows:

11 **THE COURT:** All right, sir. Just have a seat
12 in that red chair. Pull the red chair up to the
13 microphone. If you would, you can bend the
14 microphone down to you. Do it gently. One time, I
15 had a witness pull it all the way out of the socket.

16 The lady who is seated beside me is a court
17 reporter. She is taking down everything that is
18 said. Please speak up loud enough so that both all
19 the lawyers and the court reporter and I can hear
20 you.

21 **DIRECT EXAMINATION**

22 **BY MR. COGGINS:**

23 **Q** Good afternoon, Mr. Gelotte. You are Joe
24 Gelotte?

25 **A** Yes, sir.

1 Q Where do you live, Mr. Gelotte?

2 A 213 West Killarney Lake Drive in Moore.

3 Q And who lives there with you?

4 A My wife and my children.

5 Q And have you been a resident in Spartanburg
6 county since this lawsuit was filed?

7 A Yes, sir.

8 Q Where do you work?

9 A Guy Roofing.

10 Q And what do you do there?

11 A Uh, Operations Manager.

12 Q And what does that entail?

13 A Overseeing the sale crew selling jobs and
14 production.

15 Q And what have you previously done?

16 A Sold jobs, uh, and trained salesman.

17 Q And when did you first go to work at Guy?

18 A Three years ago.

19 Q All right. And how long have you been working
20 in the roofing industry so to speak?

21 A 31.

22 Q 31 years?

23 A Yes, sir.

24 Q Mr. Gelotte, did there come a time in the
25 spring of 2011 that you went to work for Davis Roofing

1 and Maintenance LLC?

2 A Yes, sir.

3 Q Was that a company that was owned by Mr. Jerry
4 Davis?

5 A Yes, sir.

6 Q To the best of your knowledge, was he the sole
7 owner of that business?

8 A Yes, sir.

9 Q Tell the court please about when you went to
10 work for Mr. Davis.

11 A I actually was working for his son, Shane, that
12 has the same kind of business in Spartanburg. It became
13 wintertime and Jerry had called me trying to get me to
14 come help his company. I actually had called Jerry to
15 start with before he referred me to Shane and Shane hired
16 me. And Jerry -- it was wintertime so our sales were a
17 little bit slow. Jerry told me if I come over there we
18 would work something out on the pay. And it was a good
19 opportunity for me, so I took Jerry up on his offer.

20 Q All right. And what were the terms that you
21 and Mr. Davis came to?

22 A That I would receive \$1500 per week, uh, and at
23 the end of 30 days, we would balance out my sales and be
24 paid the balance that was owed me.

25 Q And did Mr. Davis sent you an e-mail to your

1 home address confirming those terms?

2 A Yes, sir.

3 (WHEREUPON, Plaintiff's Exhibit 1 is marked for
4 identification purposes.)

5 BY MR. COGGINS:

6 Q I'm going to show you what was marked for
7 identification as Plaintiff's Exhibit number 1 and ask
8 you if you can identify that as the e-mail.

9 A Yes, sir. This is the e-mail.

10 MR. COGGINS: Your Honor, if there is no
11 objection, we would offer this into evidence.

12 MR. SHEALY: No objection, Your Honor.

13 THE COURT: Without objection, it would be
14 Plaintiff's 1.

15 (WHEREUPON, Plaintiff's Exhibit 1 is admitted into
16 the record.)

17 MR. COGGINS: Your Honor, here is a copy for
18 you to refer to.

19 THE COURT: Now, on this one, it was written
20 Plaintiff's 2. Is that just from the deposition?

21 MR. COGGINS: Yes, sir.

22 THE COURT: So this is Plaintiff's 1?

23 MR. COGGINS: Correct. In fact, the exhibit
24 sticker on the exhibit for trial is affixed over
25 that old sticker.

1 BY MR. COGGINS:

2 Q All right. Mr. Gelotte, this e-mail indicates
3 that it came from Davis Roofing and Maintenance LLC on
4 Saturday, March 5th, 2011. It is e-mail to
5 Donnagelotte@bellsouth.net. Whose e-mail addresses that?

6 A That is my wife's.

7 Q Is that the e-mail address that you use at
8 home?

9 A Yes.

10 Q All right. If you would review the substance
11 of this e-mail that is addressed dear Joe and Donna and,
12 uh, see if this appears to accurately reflect the terms
13 of the agreement that you had with Mr. Davis.

14 A Yes, sir. It does.

15 Q You mentioned that Mr. Davis had referred you
16 to his son and you went to work for Shane. Mr. Davis
17 refers to you as Joe and Donna. Had you known Jerry for
18 a long time?

19 A Yes, sir. Of Jerry.

20 Q Okay. With respect to this e-mail, based on
21 this e-mail, did you get accept his offer and go to work
22 for him?

23 A I did.

24 Q Did you begin immediately?

25 A Yes, sir. I'm thinking it was that Monday or

1 with you, you took the truck back and quit, is that
2 right?

3 A Yes.

4 Q Approximately when was that?

5 A I'm not sure. I'm just not sure. It was two
6 or three days after the date that we talked at a Waffle
7 House about the pay. That next -- within two days, he
8 had his vehicle back, but I'm not sure of the date.

9 Q All right. All right. I believe that the
10 record reflects that you began to work for Guy Roofing in
11 early July of 2011. How long was there between the time
12 you left Mr. Davis and you started at Guy Roofing?

13 A Two or three days.

14 Q Okay. You've essentially went from one job to
15 the next?

16 A Yes.

17 Q Would it be fair then that it was some time
18 around the end of June, first of July that you last
19 worked for Mr. Davis?

20 A Yes.

21 Q Now, with respect to the commissions that you
22 were due, did you keep up with those?

23 A Yes.

24 Q Did you keep or repair a spreadsheet that
25 showed what the commissions were?

1 A Yes.

2 Q Just for a second, if you will, go back to
3 Exhibit 1. Your commission was the 20 percent of the
4 profit after the expenses of the job?

5 A Yes.

6 Q What were those expenses?

7 A That would be landfill costs, permits and labor
8 for tearing off the roof and then the material cost.

9 Q Okay. So the materials, labor, landfill for
10 the old stuff and a permit for the job. When you
11 calculated the commissions due you on these jobs, did you
12 take into account those expenses?

13 A Yes.

14 (WHEREUPON, Plaintiff's Exhibit 3 is marked for
15 identification purposes.)

16 BY MR. COGGINS:

17 Q Mr. Gelotte, I'm going to show you what we have
18 marked as Plaintiff's Exhibit number 3 -- I'm going to
19 try to put this on the actual original -- and ask you if
20 you can identify this four-page document as your
21 spreadsheet of the jobs sold by you and commissions due
22 you on jobs that have been completed as of the time that
23 you left.

24 A (Reviewing.)

25 Oh, yes, sir.

1 Q Would the \$6400 sheet be the one for the jobs
2 that were not complete when you left?

3 A Yes, sir.

4 (WHEREUPON, Plaintiff's Exhibit 4 is marked for
5 identification purposes.)

6 BY MR. COGGINS:

7 Q Okay. Let me see if I can help you with that.
8 Let me show you what we have marked as Plaintiff's
9 Exhibit Number 4 and ask you if that is the sheet that
10 you prepared with the jobs that were not complete.

11 A Yes, sir.

12 Q All right. Now, the combination of Exhibit 3
13 and Exhibit 4, does that include all of the jobs for
14 which you sold for Mr. Davis and for which you were owed
15 commissions?

16 A Yes, sir.

17 MR. COGGINS: Your Honor, if there is no
18 objection, we will offer those as Plaintiff's
19 Exhibit ---

20 MR. SHEALY: No objection, Your Honor.

21 MR. COGGINS: --- 3 and 4.

22 THE COURT: All right. Without objection, it
23 will be Plaintiff's 3 and 4. They have already been
24 marked those numbers?

25 MR. COGGINS: Yes, sir.

1 **THE COURT:** Okay.

2 **(WHEREUPON, Plaintiff's Exhibits 3 and 4 are**
3 **admitted into the record.)**

4 **MR. COGGINS:** Here is Number 3 and here is
5 Number 4.

6 **THE COURT:** The one that the witness has,
7 that is the exhibit, right?

8 **MR. COGGINS:** The one the witness has is the
9 exhibit.

10 **THE COURT:** So I can mark on these?

11 **MR. COGGINS:** Yes, sir. Those are for your
12 use.

13 **THE COURT:** Okay.

14 **BY MR. COGGINS:**

15 **Q** All right. Mr. Gelotte, I'm going to direct
16 your attention to Exhibit 3. I believe you indicated
17 that these are jobs that you had sold and that were
18 complete, to the best of your knowledge, when you left,
19 is that correct?

20 **A** Yes, sir.

21 **Q** All right. Now, tell the Court a little bit
22 about how this would work. When you would go out to sell
23 the job, you would actually go out to the homeowner or
24 business owner, take a look at the roof and quote the
25 job?

1 A Yes, sir.

2 Q How would you determine the price to quote on
3 that job?

4 A At this time, it was a lot of insurance work.
5 So the insurance company had actually estimated job for a
6 dollar amount to do. We followed their procedures. If
7 they didn't -- if the insurance wasn't there, we used a
8 company called Xactimate which figures roofing for every
9 state in the United States to come up with this square --
10 the squares and then the unit price per squares is how
11 you come up with the price for roofs.

12 Q And based on your 30 years experience in the
13 roofing business, was that a proper way to estimate the
14 job?

15 A Yes.

16 Q Is that the same type of method you would go
17 through to estimate jobs that you had done before then
18 and after that?

19 A Yes.

20 Q All right. And so the first column on the
21 left, I assume that is the name of the job?

22 A Yes, sir.

23 Q All right. And when you quoted this, the quote
24 or the cost of the job, what you were charging for, that
25 would be the second column that's the total of job?

1 A Yes, sir.

2 Q And then the next two columns or three columns
3 actually, you showed squares, amount and total?

4 A Yes.

5 Q What is that?

6 A The squares are the number of squares that we
7 used. And this is the amount that it would cost to do
8 the job which totaled 3105. The top job, it left a
9 profit of 2120. Then the separation, the 80 percent for
10 Jerry, was \$1060. Well, this actual job here was a
11 customer of mine. So it was half and half. I had a
12 bunch of customers that I had worked for before that
13 called me wanting me to do work for them. Jerry said it
14 was okay. Then there would be some that we would split
15 50/50 and these would be one of those jobs.

16 Q And with respect to that, that's a good place
17 for us to talk about this. With respect to the payments
18 you received from Mr. Davis, did you receive a paycheck
19 for that \$1500 a week?

20 A No, sir.

21 Q How would you get paid?

22 A Cash money.

23 Q So Jerry would meet you and pay you in cash?

24 A Yes, sir.

25 Q Would you and Jerry talk about specific jobs

1 and sometimes make adjustments just like this 50/50?

2 A Yes.

3 Q You are familiar with an individual named Kevin
4 Mayfield, are you not?

5 A Yes, sir.

6 Q Kevin worked for Jerry?

7 A Yes, sir.

8 Q Kevin was sort of Jerry's office manager?

9 A Yes, sir.

10 Q To the best of your knowledge, did Kevin take
11 care of payroll for everybody else?

12 A Yes, sir.

13 Q But Jerry paid you?

14 A Yes, sir.

15 Q Did Jerry ever hand you a check?

16 A Yes, sir.

17 Q Tell us about that. If he was paying you in
18 cash, why would he give you a check?

19 A It was one time in our office in Greenville
20 where he had paid me for a while. He had told me that I
21 needed to catch his books up. It was a check for 7500.
22 Just for me to sign it and then turn it back over to him.
23 But he had already paid me that money in \$1500 draws
24 coming up to that point. There was another time, it was
25 at a restaurant, for 6000. The same thing happened

1 there.

2 Q Was there -- was there a point where Jerry
3 advanced you some money, I believe, for one of your
4 children to go to school?

5 A There may have been.

6 Q Like \$380?

7 A Yes, it's very possible.

8 Q And was that a check?

9 A It may have been.

10 Q In terms of the \$1500 a week that was called
11 for in your agreement with him, that was always cash?

12 A Always.

13 Q All right. Back to Exhibit 3, essentially as
14 the Court looks at this, you have the names of the jobs
15 down the lefthand side, the total price of the job, then
16 your figuring of cost. You deduct that for the profit?

17 A Yes.

18 Q Then you have Mr. Davis' share and your share?

19 A Yes, sir.

20 Q Now, with respect to the cost where you have
21 like on this first one, 27 squares times \$115. Is that
22 \$115 just for the cost of materials or does it include
23 the other cost?

24 A It includes other costs.

25 Q Does it include all of those elements you told

1 us about, the labor, the landfill, the permit?

2 A Yes.

3 Q So when you total the cost here and come out
4 with your profit based on what you sold the job for, what
5 your cost of materials was, what your labor was, all of
6 those things at that point in time back in 2011, the
7 profit figure you are showing here was in fact the profit
8 that you and Mr. Davis would be splitting?

9 A Yes.

10 Q Now, let's look at Exhibit 4. In Exhibit 4 is
11 another set of jobs that were not complete at the time
12 you left, is that correct?

13 A Yes, sir.

14 Q And on this one first column there where it
15 says Total Job, again that's the price of the job?

16 A Yes, sir.

17 Q And then the small print that's there right
18 beside that price, is that the name, customer name or
19 location of the job?

20 A Yes, sir.

21 Q And then with respect to your cost figure up
22 here, is that figured the same way?

23 A Yes, sir.

24 Q And so the split on profit would be the same?

25 A Yes, sir.

1 Q Now, there is a note down at the bottom of this
2 document of Exhibit 4 where it says I am willing to take
3 50 percent of the total of these jobs, is that an offer
4 that you made to Mr. Davis?

5 A Yes, sir.

6 Q And he didn't take you up on that?

7 A No, sir. These were the jobs that were still
8 not completed.

9 Q And when you said 50, you were talking only
10 about these unfinished jobs?

11 A Yes, sir.

12 (WHEREUPON, Plaintiff's Exhibit 5 is marked for
13 identification purposes.)

14 **BY MR. COGGINS:**

15 Q All right. Mr. Gelotte, let me show you what
16 we've marked as Plaintiff's Exhibit number 5. On the
17 amounts owed to you from these commissions, have you
18 figured up what that total is?

19 A Yes, sir.

20 Q And this recap here shows a total, does this
21 total appear to be correct?

22 A Yes, sir.

23 **MR. COGGINS:** Your Honor, if there's no
24 objection, we'd offer this as Exhibit 5.

25 **THE COURT:** Any objection to Plaintiff's 5?

1 **MR. SHEALY:** No, Your Honor.

2 **(WHEREUPON, Plaintiff's Exhibit 5 is admitted into**
3 the record.)

4 **MR. COGGINS:** Your Honor, here is a sheet for
5 you.

6 **THE COURT:** Thank you.

7 **BY MR. COGGINS:**

8 **Q** All right. Mr. Gelotte, what is the total
9 amount of commissions you were owed for this period of
10 time where you worked for Mr. Davis?

11 **A** \$32,010.68.

12 **Q** Okay. Now, were you paid \$32,000?

13 **A** No, sir.

14 **Q** Did you figure out what you were paid?

15 **A** Yes, sir.

16 **Q** Did you keep a record of that?

17 **A** Yes, sir.

18 **Q** Let me show you what was marked as Plaintiff's
19 Exhibit number 2 in your deposition. I want to ask you
20 if that is your record of what you were paid?

21 **A** Yes, sir.

22 **Q** Is that a record that you kept at the time?

23 **A** Yes, sir.

24 **MR. COGGINS:** And Your Honor, if there's no
25 objection, we would offer this one into evidence.

1 **MR. SHEALY:** No objection, Your Honor.

2 **THE COURT:** Without objection, it will be
3 Plaintiff's?

4 **MR. COGGINS:** 2. We had skipped over this
5 one.

6 **THE COURT:** All right. It will be
7 Plaintiff's 2.

8 **(WHEREUPON, Plaintiff's Exhibit 2 is marked for**
9 **identification and admitted into the record.)**

10 **BY MR. COGGINS:**

11 **Q** All right. Mr. Gelotte, what is the total
12 amount that you were paid?

13 **A** \$20,280.

14 **Q** All right. And if my math is correct, that
15 leaves a balance due you of \$11,730.68. Is that correct?

16 **A** Yes, sir.

17 **Q** Is that the amount that you're seeking today?

18 **A** Yes, sir.

19 **Q** And that's the amount in unpaid wages that were
20 not paid to you?

21 **A** Yes, sir.

22 **(WHEREUPON, Plaintiff's Exhibits 6 through 10 are**
23 **marked for identification purposes.)**

24 **BY MR. COGGINS:**

25 **Q** Okay. While you have the Exhibit 2 there, let

1 me show you also a set of documents that we have marked
2 as Plaintiff's Exhibits 6 through 10 and ask you if you
3 can identify those as copies of your bank account
4 statements for March, April, May, June and July of 2011.

5 **A** Yes, sir.

6 **MR. COGGINS:** Your Honor, at this time, we
7 would offer these as Plaintiff's Exhibits 6 through
8 10.

9 **MR. SHEALY:** No objection, Your Honor.

10 **THE COURT:** Without objection, it will be
11 Plaintiff's 6 through 10. They were called just
12 bank records?

13 **MR. COGGINS:** Yeah. Bank statements.

14 **THE COURT:** Okay.

15 **MR. COGGINS:** And for Your Honor's reference,
16 they begin with April, Exhibit 6 and go through
17 July, Exhibit 10.

18 **(WHEREUPON, Plaintiff's Exhibits 6 through 10 are**
19 **admitted into the record.)**

20 **BY MR. COGGINS:**

21 **Q** All right. Mr. Gelotte, in the course of your
22 preparation for this case, did you and your wife have the
23 opportunity to take your record of what Mr. Davis paid
24 you in cash and compare it to your deposits on your
25 statement?

1 A Yes.

2 Q All right. And if you will look at Exhibit 6,
3 the March 2011 statement, does it reflect that Mr. Davis
4 paid you any amount in March of 2011?

5 A There was not. That was from Shane.

6 Q Okay. Now, if we go to April, there are a
7 number of \$1400 deposits. April 1st, April 8th, April
8 15th and April 22nd. Those \$1400 deposits, do those
9 correspond to \$1500 cash payments?

10 A Yes, sir.

11 Q There's also an entry for an \$80 deposit on
12 April 19th. There's a notation on Exhibit 7 that that's
13 for gas. Was that a reimbursement of gas expense
14 pursuant to your agreement?

15 A I'm not sure.

16 Q At any rate, that was not a draw?

17 A No.

18 Q All right. Let's look at Exhibit 8 for May.

19 A Okay.

20 Q And again, you've got some deposits here, 1300,
21 1700, 1300. Did those correspond to draws that Mr. Davis
22 made to you?

23 A Yes.

24 Q And while I'm thinking about it, in May -- I'm
25 sorry. It's on the next one. Let's look at June,

1 Exhibit 9. On May 31st, you've got a \$1300 deposit. On
2 June 6th, 1000. And then on June 10th, it looks like
3 1900. Do these also correspond to the payments you had
4 made note of on Exhibit 2?

5 A Yes, sir.

6 Q All right. And I had asked you about that
7 check for your, uh, son's college class.

8 A Yes.

9 Q If you would, look at the last page of Exhibit
10 9. Excuse me. I believe the last page is your first Guy
11 Roofing check. Second from the last page. There is a
12 check to you from Davis Roofing and Maintenance for \$380.
13 And it has a notation draw for Michael's class.

14 A Yes, sir.

15 Q That's the one we talked about?

16 A Yes, sir.

17 Q All right. And then in July of 2011, you
18 didn't have any payments from Mr. Davis, did you not?

19 A There was one. 7/1 from Mr. Davis. That was
20 that \$1000.

21 Q Ah, that's correct.

22 A That was \$1000. I think that was the check.
23 There was the one check we had wrote.

24 Q That's the one that you have a notation by,
25 last and only payment on balance?

1 A That's right. And he told me that he was going
2 to try to work out payment and send it to me.

3 Q On what he owed you?

4 A Yes.

5 Q Okay. And that's the check that is the last
6 page of that exhibit?

7 A Yes.

8 Q Looks like it's dated June 29th for \$1000?

9 A Yes, sir.

10 Q All right. Mr. Gelotte, as far as you know,
11 did you always get along with Jerry?

12 A Yes, sir.

13 Q As far as you know, were they satisfied with
14 your work?

15 A Yes, sir.

16 Q Jerry or Kevin ever tell you that there was a
17 problem with the jobs you sold or that they had to spend
18 more money or something went wrong?

19 A No, sir.

20 Q To the best of your knowledge, were all of
21 those jobs billed and paid exactly as you sold them?

22 A Yes, sir.

23 Q To the best of your knowledge, was the cost
24 exactly as you figured?

25 A Yes, sir.

1 Q Was there a reconciliation where after the job
2 was actually completed Kevin would have the actual
3 numbers that he could compare against your sales numbers?

4 A Should be. Yes, sir.

5 Q Okay. At any point in time from March until
6 the end of June when you were working there, did Kevin
7 Mayfield ever tell you that Joe you figured this wrong or
8 your cost are wrong or you didn't put enough cost on it?

9 A No, sir.

10 Q When you asked Mr. Davis about settling up with
11 you on the commissions you were owed, did he ever deny
12 that he owed it to you?

13 A No, sir.

14 Q In fact, as you indicated, at first, he
15 indicated he would try to work something out with you?

16 A Yes, sir.

17 Q All you are asking the court to do today is to
18 have your wages paid?

19 A Yes, sir.

20 Q Pursuant to whatever statute may apply?

21 A Yes, sir.

22 MR. COGGINS: That's all I have. Thank you,
23 Your Honor.

24 THE COURT: Yes, sir, Mr.

25 CROSS-EXAMINATION

1 BY MR. SHEALY:

2 Q Uh, Mr. Gelotte, would you look at your
3 Plaintiff's Exhibit 2 here. (Pause.)

4 Sorry about that. Would you look at your
5 Plaintiff's Exhibit 2? Tell me the date of the last
6 payment you claim to have received.

7 A (Reviewing.)

8 I guess it would be back to the statement where
9 it was the 7 -- it would be 6/29, the \$1000 check from
10 Davis.

11 Q Okay. I'm looking at Plaintiff's Exhibit
12 number 2.

13 A 6/10/11.

14 Q Okay. Will you turn to your Exhibit number 10?

15 A (Reviewing.) Okay.

16 Q What's the date on that check?

17 A It's got for deposit 7/1.

18 Q Okay. Mr. Gelotte, you say that you were owed
19 \$32,000 or \$32,010.68 over the course of your working
20 with Davis Roofing and Maintenance?

21 A Yes.

22 Q And how much were you paid in cash? Is that
23 2280, is that on Plaintiff's Exhibit 2?

24 A Yes.

25 Q And so today, you are asking the Court to give

1 you \$11,758.50, is that correct?

2 A Yes.

3 (WHEREUPON, Defendant's Exhibit 1 is marked for
4 identification purposes.)

5 BY MR. SHEALY:

6 Q Okay. Let me hand you Defendant's Exhibit --
7 what's marked as Defendant's Exhibit number 1. Do you
8 recognize that document, Mr. Gelotte?

9 A Uh-huh.

10 Q What is this document? Please explain it to
11 the Court.

12 A It's the 1099.

13 Q Is this what you filed in 2011 for your taxes?

14 A This is a different contractor.

15 Q Okay. Turn the page. I'm sorry. Page number
16 2, is this what you filed as your income tax in 2011?

17 A It is. It is.

18 MR. COGGINS: Objection, Your Honor. I don't
19 believe this exhibit has been entered.

20 THE COURT: All right. You want to lay a
21 foundation.

22 MR. SHEALY: I'm just asking him to identify
23 it.

24 THE COURT: Well, you've already handed it to
25 me. So you need to -- if you're going to admit it -

1 - if it hadn't been admitted, I shouldn't be looking
2 at it.

3 MR. SHEALY: Okay. I'm sorry.

4 THE COURT: That's alright.

5 BY MR. SHEALY:

6 Q Is this your tax return from 2011, Mr. Gelotte?

7 A Yes.

8 MR. SHEALY: Can I have it admitted as
9 Defendant's Exhibit number 1?

10 MR. COGGINS: No objection.

11 THE COURT: Without objection, it will be
12 defendant's 1.

13 MR. SHEALY: Sorry, Your Honor.

14 (WHEREUPON, Defendant's Exhibit 1 is admitted into
15 the record.)

16 BY MR. SHEALY:

17 Q Did you provide your Social Security Number to
18 the defendants?

19 A They never -- they never made me fill out a
20 form.

21 Q Did you ever give a copy of your driver's
22 license to the defendant?

23 A Yes, sir.

24 Q Okay. What is your driver's license number?

25 MR. COGGINS: Your Honor, if it please the

1 Court. There's a confidentiality order, uh, in
2 effect in this case. It was negotiated with the
3 defendant's prior counsel. Subject to that, the
4 Social Security Number we previously provided as
5 part of this litigation. With respect to the
6 driver's license number, Social Security Number,
7 date of birth or any of the other personal
8 confidential information type things, we would ask
9 that that confidentiality order apply to anything
10 that was disclosed in this hearing.

11 MR. SHEALY: I'm just asking for the driver's
12 license number, Your Honor. I'm not sure what he's
13 citing to in the confidentiality agreement.

14 THE COURT: Well, if it was an issue that's
15 been covered by some other ruling or --

16 MR. SHEALY: I can't say that it was.

17 MR. COGGINS: Your Honor, I have no objection
18 to him asking the question. I just ask that we
19 enforce that agreement to the extent any type of
20 transcript be prepared.

21 THE COURT: All right. It's my understanding
22 that Mr. Coggins is saying he's going to not object
23 to his client publishing that information to you but
24 that it should not be -- leave this courtroom.

25 MR. SHEALY: Yes, Your Honor. That's fine.

1 **THE COURT:** Nor be it part of any transcript
2 that would be generated from this proceeding. Is
3 that your understanding as well?

4 **MR. SHEALY:** Yes, Your Honor.

5 **THE COURT:** Okay. All right.

6 **THE WITNESS:** [REDACTED]

7 **BY MR. SHEALY:**

8 **Q** Would you say that one more time, Mr. Gelotte?

9 **A** [REDACTED]

10 **Q** Thank you. So were you ever paid by check from
11 Mr. Davis?

12 **A** The one check for \$1000 and those two that he
13 had me sign to consolidate the cash he paid me.

14 **Q** You were paid \$20,280 in 2011, is that correct?

15 **A** Yes.

16 **Q** How much income did you report on your taxes
17 that you actually earned from Davis Roofing and
18 Maintenance?

19 **A** Was it 16,625? I did not claim the whole
20 20,800 because I never had received a 1099.

21 **Q** Okay. So you reported less on your taxes than
22 you actually made?

23 **A** I did. I still had not received a 1099. It
24 was like 13 -- on the cash, I claimed like \$13,000.

25 **Q** Okay. You claimed \$13,000. You said you were

1 never paid by check, is that correct?

2 A No, I was paid by one check, the \$1000 check.

3 Q What did that \$13,000 that you actually
4 reported represent?

5 A Part of the cash money he's given me.

6 Q Was it not two checks that you received?

7 A It was the equivalent to those two checks, yes,
8 that I didn't receive, that I signed for Jerry.

9 Q So you reported on your taxes that you received
10 two checks that totaled over \$13000?

11 A No. I reported those were the only two checks
12 that I received from Jerry Davis to sign and give back to
13 him.

14 Q Is it true that you reported that \$13,000 as
15 income that you received?

16 A That's exactly right.

17 Q Okay. Did you report the check that you
18 received or that was written on 6/29/2011 which is
19 Plaintiff's Exhibit 10, did you report that \$1000 on your
20 income?

21 A I'm not sure.

22 Q Okay. On Exhibit 9, your Exhibit 9, did you
23 report that check on your income taxes?

24 A I think so. I'm not sure.

25 Q Okay. But your best estimation is that that

1 13,000 represented those two checks ---

2 A Yes.

3 Q --- that you say you tore up. Did you tear
4 them up?

5 A I didn't tear them. Jerry kept them. I signed
6 them in his office. I signed them in the Greenville
7 office. He paid me my 1500. He told me to sign these
8 checks to get his books caught up and then he took them
9 back.

10 Q I want to show you what's marked as Defendant's
11 Exhibit 2. Do you recognize the name on that check?

12 A Yes.

13 Q Is that check made out to you?

14 A Yes.

15 Q What's the date on that check?

16 A The first one?

17 Q Yes.

18 A 525.

19 Q Will you turn to the next page? Who is that
20 check made out to?

21 A To me.

22 Q Okay. What's the date on that check?

23 A 6/29.

24 Q Of 2011, is that correct?

25 A Uh-huh.

1 Q Will you turn to the next page?

2 A 4/22.

3 Q Okay. And who is that check made out to?

4 A To me.

5 Q Okay. And the next page?

6 A To me.

7 Q The last page. Made out to you.

8 MR. SHEALY: We'd like to introduce this as
9 Defendant's Exhibit number 2.

10 MR. COGGINS: No objection, Your Honor.

11 THE COURT: All right. Without objection, it
12 will be Defendant's 2.

13 (WHEREUPON, Defendant's Exhibit 2 is marked for
14 identification and admitted into the record.)

15 BY MR. SHEALY:

16 Q Mr. Gelotte, the last two pages of this
17 exhibit, Defendant's Exhibit number 2, did those pages
18 reflect the checks that you claim were taken from you by
19 Mr. Davis?

20 A No, he told me to sign them and give them back
21 to him. Yes.

22 Q Okay. Those were the two checks that you
23 reported on your income tax is those two checks, is that
24 correct?

25 A If that's what it totaled to, yes.

1 Q Okay. On page 3 of Defendant's Exhibit number
2 2, what's the amount of that check, Mr. Gelotte?

3 A This is the one for 7500?

4 Q That's it. 7500 is the page where --
5 Defendant's Exhibit number 2?

6 A That's 3.

7 Q Okay. Is that your signature where it says
8 endorse here?

9 A It is.

10 Q Is that your driver's license number?

11 A It is.

12 Q Is that your phone number or was it your phone
13 number?

14 A I think that's Jerry's phone number where Jerry
15 took these -- he had batch checks that he would take and
16 cash to get his cash money back where he paid the workers
17 everything.

18 Q So you are saying this number --

19 A I don't know if it was -- I can't remember if
20 this was my number or Jerry's number.

21 Q Okay. You can't remember. That's fine. All
22 right. Do you recognize the stamp? Can you read the
23 stamp on the back of that check?

24 A BB&B [sic] branch bank?

25 Q Can you see where it says for deposit only?

1 **A** Yeah.

2 **Q** What does it say under there?

3 **A** Some food mart check cashing account.

4 **Q** Okay. It says check cashing account?

5 **A** Yeah.

6 **Q** Is that correct? All right. Please turn to
7 the last page of Defendant's Exhibit number 2. You on
8 the last page?

9 **A** I am.

10 **Q** Is that your signature where it says endorse
11 here?

12 **A** It is.

13 **Q** Is that your driver's license number?

14 **A** It is.

15 **Q** Does that have the same stamp to the best of
16 your sight of the stamp that was on page 3 of Defendant's
17 Exhibit number --

18 **A** It does.

19 **MR. SHEALY:** I would like to have the
20 defendant's deposition marked, Your Honor.

21 **THE COURT:** All right.

22 **MR. SHEALY:** I'm sorry. The plaintiff's
23 deposition.

24 **THE COURT:** Plaintiff's deposition.

25 **MR. SHEALY:** Sorry, Your Honor.

1 **THE COURT:** If you would, what I'd like for
2 you to do is, this is a nonjury matter, direct where
3 this deposition is supposed to be used. I might
4 read it and might think it's real relevant or I
5 might read it and think that it's a smoking gun. I
6 just don't know unless you direct me of the use of
7 that deposition. All right. I'll unseal the
8 original. You need to use this or you have another
9 copy?

10 **MR. SHEALY:** I have another copy, Your Honor.

11 **THE COURT:** All right.

12 **BY MR. SHEALY:**

13 **Q** What did you say happened to those last two
14 checks that I showed you on Defendant's Exhibit number 2,
15 Mr. Gelotte?

16 **A** I claimed them on my taxes.

17 **Q** But what -- what physically happened those
18 checks?

19 **A** I handed them back to him. I thought he tore
20 them up.

21 **Q** Okay.

22 **A** I mean, I think that's what happened.

23 **Q** You think he tore the checks up?

24 **A** I think that's -- I think that's what happened.

25 **Q** So you think he tore the checks up?

1 A I mean, I thought he did.

2 Q Do you recall being asked by my associate how
3 much payment did you report on your taxes?

4 A I do.

5 Q Do you recall your answer being 7500 and 6000.
6 You recall him asking again what's the number?

7 A Yes.

8 Q You remember your answer being the cash that I
9 received in checks was 20,280. The amount that I showed
10 on my taxes was a \$7500 check that he made me tear up and
11 the 6000 which totals 13,500 without a 1099.

12 A Yeah, if I said that. But it was either he or
13 I tore them up. I think -- I didn't take the checks to
14 the bank to cash them. I never got those checks back
15 from Jerry. I never did get them back.

16 Q Okay.

17 A But there should be proof of a picture of who
18 cashed those checks. When you go to a bank, the bank
19 would have that proof for you.

20 Q Did you have a non-compete with Shane Davis
21 when you worked for Shane Davis?

22 A I did.

23 Q Did you work for Shane Davis during 2011?

24 A It may have been earlier in the first part of
25 that year.

Joseph Gelotte - Cross-Examination by Mr. Shealy

1 Q If you would, look at Defendant's Exhibit 2,
2 which is copies of this check.

3 A (Reviewing.)

4 Yes, sir.

5 Q And I'm going to ask you to look at the, uh,
6 third page of that exhibit which is the \$7500 check.

7 A Yes, sir.

8 Q The fact that it's a little easier to read.
9 The stamp on that is for a BB&T, correct?

10 A Yes, sir.

11 Q But you don't have any account at BB&T?

12 A No, sir.

13 Q Never have?

14 A No, sir.

15 Q That, in fact, is the account for this company
16 to cash their check, correct?

17 A Yes.

18 Q And it says Ruchi -- R-U-C-H-I -- Food Mart?

19 A Yes.

20 Q You know where that is?

21 A No, sir.

22 Q You ever cashed a check there in your life?

23 A No, sir.

24 Q But I believe you did tell counsel that you had
25 knowledge that Mr. Davis from time to time would take

1 batches of checks, groups of checks, cash them to have
2 cash to pay?

3 A Yes, sir.

4 Q All right. And, uh, so you signed the check
5 and gave it back to him?

6 A He told me to do that.

7 Q All right. And with respect to the 1099, I
8 believe you testified to counsel that the reason you
9 didn't claim more than what you actually received the
10 signed checks for was because you were awaiting a 1099
11 from Mr. Davis?

12 A Yes, sir.

13 Q Were you ever issued a 1099?

14 A No, sir.

15 Q Did you become aware during the course of this
16 litigation that Mr. Davis was claiming he didn't send you
17 a 1099 because he didn't have your social security
18 number?

19 A Yes, sir.

20 Q After entering into the confidentiality
21 agreement with Mr. Davis and with Mr. Strickland when he
22 was his lawyer, did you furnish your Social Security
23 Number?

24 A Yes, sir.

25 Q Did you ever receive a 1099?

1 **A** No, sir.

2 **Q** To this day?

3 **A** No, sir.

4 **Q** That's all I have.

5 **THE COURT:** Thank you, sir. You may step
6 down. Just leave all the exhibits right there.

7 **THE WITNESS:** Right here?

8 **THE COURT:** Uh-huh. Don't forget your
9 wallet.

10 **MR. COGGINS:** Mr. Gelotte, if you will, bring
11 your notes.

12 **THE WITNESS:** Okay.

13 **MR. COGGINS:** Anything that has a yellow
14 sticker on it, leave it up there.

15 Your Honor, that's the plaintiff's case. This
16 case is for payment of wages due in the amount of
17 \$11,730.68. We did bring this pursuant to the
18 Payment of Wages Act. We would ask the Court to
19 find that there was no good faith dispute about the
20 amount of wages due. Therefore, we're entitled to
21 treble damages. Also ask the Court to award
22 attorneys fees and cost according to the statute.
23 If the Court chooses to do that, we'll be happy to
24 submit an affidavit to the Court and to opposing
25 counsel showing an itemized statement of attorneys

1 fees and cost through today's hearing.

2 Your Honor, we had a claim in the complaint for
3 defamation. But as discovery progressed, we were
4 unable to prove exactly who it was that made the
5 call to Mr. Gelotte's employer. So we withdraw that
6 claim.

7 **THE COURT:** All right. Thank you.

8 **MR. SHEALY:** Your Honor, uh, it's our
9 position that our client overpaid the plaintiff.
10 The plaintiff claims that he was owed \$11,758.50.
11 We have two checks that total \$13,800 that the
12 plaintiff reported on his income taxes. We didn't
13 report the cash that he earned. He verifies that it
14 is his signature and his driver's license number on
15 the back of those two checks. And, uh, we believe
16 he was an independent contractor, Your Honor. Ye
17 was supposed to receive a 1099. He stated as much.
18 Uh, that's all.

19 **THE COURT:** Okay. Explain that last part
20 again.

21 **MR. SHEALY:** The plaintiff said that he was
22 supposed to receive a 1099 for his work that he did
23 for the defendant.

24 **MR. COGGINS:** Your Honor, if I could briefly
25 respond on the 1099. I know the Court is aware of

From: Davis Roofing & Maintenance, LLC > (jedavisroofing@bellsouth.net)
To: donnagelotte@bellsouth.net;
Date: Sat, March 5, 2011 7:44:19 PM
Cc:
Subject: Re: agreement2

Plaintiff 1

From: Davis Roofing & Maintenance, LLC >
Sent: Saturday, March 05, 2011 6:52 PM
To: donnagelotte@bellsouth.net
Subject: agreement

DEAR JOE AND DONNA:

PLEASE BE ADVISED THAT ON THIS DATE JOE AND I HAD A CONVERSION TODAY. OUR AGREEMENT WAS THAT JOE WOULD COME TO WORK FOR US SELLING SHINGLES AND BEING A SALES TRAINER FOR THE OTHER PEOPLE IN OUR COMPANY. WHAT I AM PREPARED TO DO IS ADVANE JOE ONE THOUSAND FIVE HUNDRED DOLLARS PER WEEK AND TO SETTLE UP WITH HIM ON HIS COMMISSION ONCE PER MONTH. BETWEEN THE FIRST AND THE TENTH OF EACH MONTH. COMMISSION WILL BE 20% OF THE NET PROFIT AFTER ALL EXPENSE HAVE BEEN TOTALED AND TAKEN OUT OF THE JOB. ALSO PLEASE INCLUDE VEHICLE AND EXPENSE FOR JOE AT KNOW CHARGE. WHICH INCLUDES ALL EXPENSE. ALL OFFICE SUPPLIES, AND EQUIPMENT THAT HE NEEDS TO WORK WITH.

ALL ROOFING PRODUCTS WILL COME FROM A SISTER COMPANY AND WILL BE SOLD TO THE MAINTENANCE COMPANY WITH A NET 10% MARK UP. LEADS WILL BE SUPPLIED TO JOE AS THEY COME IN. PLEASE FEEL FREE TO MAKE ANY REVISIONS YOU LIKE. HOPE TO HEAR FROM YOU TONIGHT.

HUMBLY YOURS, IN THE MASTER'S SERVICE,

JE DAVIS, OWNER



FILED
CLERK OF COURT
SPARTANBURG COUNTY
MARCH 26 PM 3:11
M. HOPE BLACKLEY

<http://us.mg203.mail.yahoo.com/dc/launch?partner=sbc&gx=0&rand=22gqd0c0790gk>

6/9/2011

Exhibit A

②

Draw W/E 3/25/11	1500.00	Cash
W/E 4/1/11	1500.00	Cash
W/E 4/8/11	1500.00	Cash
W/E 4/15/11	1500.00	Cash
W/E 4/22/11	1500.00	Cash
W/E 4/28/11	1600.00	Cash
4/29/11	1000.00	Cash
W/E 5/7/11	1500.00	Cash
W/E 5/13/11	1800.00	Cash
W/E 5/20/11	1500.00	Cash
5/25/11 Draw request	280.00	CK
W/E 5/27/11	1500.00	Cash
W/E 6/3/11	1500.00	Cash
W/E 6/10/11	2000.00	Cash
		20,280.00

Joel's
000 COPY

0.0

0. *

1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,600.00 +
1,000.00 +
1,800.00 +
380.00 +
2,000.00 +

014

20,280.00 *

1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,500.00 +
1,600.00 +
1,000.00 +
1,500.00 +
1,800.00 +
1,500.00 +
380.00 +
1,500.00 +
1,500.00 +
2,000.00 +

014

20,280.00 *

Name	Total of Job	Squares	Amount	Total	Profit	JEDavis	Joe Zick
1/2 Job Harold Spencer	\$5225.00	27	x \$115.00	\$3105.00	\$2120.00	\$1060.00	\$1060.00
1/2 W. Allison Stephens	\$12,373.00			\$7373.00	\$5,000.00	\$2500.00	\$2500.00
30yr Carlos Waters	\$2940.00	17	x \$120.00	\$2040.00	\$900.00	\$720.00	\$180.00
3 tab Roy Polard } Gutters Window Cap & Deck Awning	\$799.00	18	x \$15.00	\$2070.00 \$720.00 \$1700.00 \$350.00 \$14840.00	\$2359.00	\$1887.20	\$471.80
30yr. Susan Gault	\$4700.00	24	x \$120.00	\$2880.00	\$1820.00	\$1456.00	\$364.00
50yr Glenn Allen	\$7000.00	Late Taxaway				\$400.00	\$100.00
1/2 30yr Wayne Masley	\$8795.00	37	x \$120.00	\$4440.00	\$2355.00	\$2177.50	\$2177.50
30yr Doug Maguernt	\$5100.00	30	x \$120.00	\$2600.00	\$1500.00	\$1200.00	\$300.00
1/5 30yr Tim Waters	\$720.00	26	x \$120.00	\$5720.00 Siding Cost 2600.00	\$1400.00	\$1120.00	\$280.00
30yr Kevin Watkins	\$5600.00	33	x \$120.00	\$3960.00	\$1840.00	\$1472.00	\$368.00
30yr GR Harley	\$12000.00	69	x \$120.00	\$8280.00	\$3720.00	\$2976.00	\$744.00
1/2 30yr Toby Eftin	\$13,750.00	65	x \$130.00	\$8450.00	\$5300.00	\$2650.00	\$2650.00
30yr Mark Stewart	\$6836.00	37	x \$120.00	\$4440.00	\$2396.00	\$1916.80	\$479.20
30yr Shannon Cecil	\$1740.00	11	x \$120.00	\$1320.00	\$420.00	\$336.00	\$84.00
							(11,750.50) 11,758.50

000

0. *

1,060.00 +

2,500.00 +

180.00 +

471.80 +

564.00 +

100.00 +

2,177.50 +

300.00 +

280.00 +

368.00 +

744.80 +

2,650.00 +

479.20 +

84.00 +

014

11,758.50 *

11 50 +

	Name	Total of Job	Squares	Amount	Total	Profit	J.E. Davis	Job 2090
30yr	Danny Moore	\$7000.00	37 x Paint	120.00? 300.00	\$140.00	\$2260.00	\$1808.00	\$452.00
30yr	Pauline Gardner	\$4860.00	20 x vinyl underpin	120.00? 1070.00	\$3470.00	\$1390.00	\$1112.00	\$278.00
30yr	Stewart Rose	\$6561.86	34 x	120.00	\$4080.00	\$2481.86	\$1985.49	\$496.38
30yr	Ashley Hunt	\$4890.00	24 x	120.00	\$2880.00	\$2010.00	\$1608.00	\$402.00
30yr	Cory Smith	\$8700.00	42 x	120.00	\$5160.00	\$2940.00	\$2352.00	\$588.00
1/2 30yr	John Nichols	\$8400.00	40 x	125.00	\$5000.00	\$3400.00	\$1700.00	\$1700.00
30yr	Julius Blue	\$7500.00	27 x	205.00	\$5535.00	\$1965.00	\$1572.00	\$393.00
30yr	Robert Sarno	\$7000.00	6 x VS Metal	125.00 150.00 220.00	\$1250.00 \$900.00 \$1320.00	\$3530.00	\$2824.00	\$706.00
					3470.00			
30yr	Floyd Cyle	\$8026.00	40 x	130.00	\$5200.00	\$3486.00	\$2788.00	\$697.20
30yr	Rebecca Sloan	\$3543.00	21 x	130.00	\$2520.00	\$1023.00	\$818.40	\$204.60
30yr	Kathy Kohn	\$5000.00	22 x	120.00	\$3360.00	\$2440.00	\$1952.00	\$488.00
30yr	Roger Powell	\$6800.00	40 x	125.00	\$5000.00	\$1800.00	\$1440.00	\$360.00
30yr	William Watkins	\$4234.00	24 x	120.00	\$2880.00	\$1354.00	\$1083.20	\$270.80
								7035.98

7035.98

	Name	Total of Job	Squares	Amount	Total	Profit	J. EDWARDS	Job 20%
30 yr	Roger Lantz	3800.00	18	x 125.00	2250.00	1550.00	1240.00	310.00
3 tab	Harold Sutton	4400.00	20	x 125.00	2500.00	1900.00	1520.00	380.00
30 yr	Edna Hugh	7247.00	15	x 120.00	1800.00			
			owning cost	2980.00				
					4780.00	2467.00	1973.00	493.40
30 yr	Deanna Fathone	5378.00	30	x 125.00	3750.00	2128.00	1702.40	425.60
30 yr	Leon Colonginer	5386.00	26	x 125.00	3250.00	2136.00	1708.80	427.20
30 yr	Janice Roxie	4700.00	26	x 90.00	2340.00			
			anchors	580.00				
					2920.00	1780.00	1424.00	356.00
30 yr	Johnny Howell	2710.00	15	x 125.00	1875.00	835.00	668.00	167.00
30 yr	James Hensen	4500.00	23	x 130.00	2990.00	1510.00	1208.00	302.00
30 yr	Dean Johnson	5581.00	34	x 120.00	4080.00	1501.00	1200.80	300.20
3 tab	Ronald Dunlap	8033.00	53	x 115.00	6095.00	1938.00	1550.40	387.60
30 yr	Rod Cummings	4100.00	21	x 120.00	2520.00	1580.00	1264.00	316.00
30 yr	Mary Ballard	2600.00	15	x 120.00	1800.00	800.00	640.00	160.00
30 yr	Arvin Wiggins	3750.00	23	x 125.00	2875.00	875.00	700.00	175.00
30 yr	Johnny Lawry	4870.00	23	x 125.00	2875.00	1505.00	1204.00	301.00
								4501.00

4501.00

000

0. *

452.00 +
278.00 +
496.38 +
402.00 +
588.00 +
1,700.00 +
393.00 +
706.00 +
697.20 +
204.60 +
488.00 +
360.00 +
270.80 +

013

7,035.98 *

	Name	Total of Job	Squares	Amount	Total	Profit	J.E. Davis	Joe 20%
30yr	Ernie Linker	5960.00	31 X	120.00	3720.00	2240.00	1792.00	448.00
30yr	Robbie Guttner	9600.00	42 X	130.00	5460.00	4140.00	3312.00	828.00
	123 Sylvan Way							400.00
1/2	Greg Morman - Repair	300.00				200.00	100.00	100.00
1/2	Stacy Wright - Repair	844.00				400.00	200.00	200.00
1/2	Judy Collins - Repair	480.00				200.00	100.00	100.00
1/2	Matt Heffernan	750.00				300.00	150.00	150.00
								2226.00

000

0-*

0-C

310.00 +
380.00 +
493.40 +
425.60 +
427.20 +
356.00 +
167.00 +
302.00 +
300.20 +
387.60 +
316.00 +
160.00 +
175.00 +
301.00 +

014

4,501.00 *

30 yr	Total Job	Stamps	Amount	Profit	50%	20%
	4490.00	23 x 125	2875.00	1615.00	292.00	323.00
	493.00	24 x 120.00	3120.00	1673.00	1338.40	334.60
	9700.00	41 x 125.00	5875.00	3825.00	3060.00	1165.00
	8050.00	41 x 125.00	5875.00	2515.00	2012.00	503.00
	9680.00	50 x 120.00	6500.00	3180.00	2544.00	636.00
	3650.00	22 x 120.00	2640.00	1610.00	805.00	202.00
	5600.00	27 x 125.00	3375.00	2225.00	1780.00	445.00
	3450.00	15 x 125.00	1875.00	1575.00	1260.00	315.00
	27136.00	131 x 130.00	17,030.00	10,106.00	8084.80	2021.20
	2490.00	13 x 120.00	1560.00	930.00	744.00	186.00
3 Feb	9700.00	65 x 115.00	7475.00	2225.00	1780.00	445.00
	5692.00	39 x 125.00	4125.00	1567.00	1253.60	313.40
Der. advised by D. Cogans Attorney at Law of Harris, White, Smith & Cogans (864) 565-5100				I am willing to take 50% of the total of these jobs equaling \$3,244.60		6489.20

000

0. *

448.00 +

828.00 +

400.00 +

100.00 +

200.00 +

100.00 +

150.00 +

007

2,226.00 *

2,226.00 +

4,501.00 +

002

6,727.00 *

30 yr	Total Job	Jobs Dela not complete	Profit	80%	20%	
	4490.00	23 x 125	2875.00	1165.00	292.00	
	493.00	276 x 120.00	3312.00	1673.00	334.60	
	9700.00	41 x 125.00	5875.00	3825.00	765.00	
	8050.00	41 x 125.00	5235.00	2515.00	503.00	
	9680.00	50 x 130.00	6500.00	3180.00	636.00	
	3650.00	22 x 120.00	2640.00	1610.00	202.00	
	5600.00	27 x 125.00	3375.00	2225.00	445.00	
	3150.00	15 x 125.00	1875.00	1575.00	315.00	
	27,136.00	131 x 130.00	17,030.00	10,110.00	2021.20	
	2490.00	13 x 120.00	1560.00	920.00	180.00	
3 tab	9700.00	65 x 115.00	7475.00	2225.00	445.00	
	5692.00	33 x 125.00	4125.00	1567.00	313.40	
Der. advised by:					6489.20	
D. Cogan's Attorney at Law of					of these jobs equaling \$3,244.60	
Harris, White, Smith & Cogan						
(864) 555-5100						

Gelotte's Deposition Exhibit 1

(5)

Page 2 = \$2,226.00

Page 3 = \$7,035.98

Page 4 = \$4,501.00

Page 5 = \$6,489.20

Page 6 = \$11,758.50

Total = \$32,010.68

Plaintiffs 6-10.



SUNTRUST

Handwritten: *Handwritten text, possibly a signature or name, in cursive script.*

**Questions? Please call
1-800-786-8787**

Account Summary	Account Type	Account Number	Statement Period
	FREE CHECKING	1000084816419	02/18/2011 - 03/24/2011

Deposits/ Credits	Date	Amount	Description
	02/26	1,200.00	DEPOSIT
	03/04	1,000.00	DEPOSIT
	03/14	500.00	DEPOSIT
	03/14	1,100.00	DEPOSIT
	03/15	1,200.00	DEPOSIT
	03/16	100.00	DEPOSIT
	03/18	1,000.00	DEPOSIT
	03/24	32.70	POINT OF SALE CREDIT

on this statement
 All deposits were from Shane Davis Jerry's son
 Joe worked for Shane before he went to
 work for Jerry.
 * None of Deposits are from Jerry Davis

TR DATE 03/24
 Spartanburg SC 89L03160

Deposits/Credits: 8 Total Items Deposited: 4

Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	~~1044~~	~~50.00~~	03/11	~~1054~~	~~140.15~~	03/04	1079	~~125.54~~	03/11
	1042	20.00	03/11	1072	128.54	03/04	1079	440.45	03/11
	~~1046~~	~~1.00~~	03/18	1073	~~180.54~~	03/04	*1081	~~1000.30~~	03/17
	~~1057~~	~~0.00~~	02/23	~~1074~~	~~180.89~~	03/08	*1083	~~20.00~~	03/24
	~~1062~~	~~50.00~~	02/22	~~1075~~	~~25.00~~	03/03	~~1082~~	440.64	03/14
	~~1062~~	~~00.00~~	02/22	1076	~~30.43~~	03/17	9021	3.50	03/16
	~~1069~~	~~00.00~~	03/03	1077	128.54	03/11			

Checks: 20 **#Break in check sequence**

Withdrawals/ Debits	Date Paid	Amount	Description	
	02/22	~~10.00~~	ATM CASH WITHDRAWAL HILLCREST	TR DATE 02/18 SPARTANBURG SC 0112SC048
	02/22	~~6.00~~	CHECK CARD PURCHASE JL TOPPERS QP8	TR DATE 02/18 GREENVILLE SC
	02/22	~~22.00~~	CHECK CARD PURCHASE CLOCK OF SPARTANBURG	TR DATE 02/19 SPARTANBURG SC
	02/22	~~4.00~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 02/20 SPARTANBURG SC LK340837
	02/22	~~2.50~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 02/19 SPARTANBURG SC LK340837

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 2 of 6
63/814/0175/0 /22
1800084916419
03/24/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	02/22	-9.85	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 02/22 SPARTANBURG SC 88399801
	02/22	-10.15	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 02/20 SPARTANBURG SC 88399801
	02/22	-18.81	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 02/20 SPARTANBURG SC LK340837
	02/22	-18.15	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 02/21 SPARTANBURG SC LK340837
	02/22	-18.98	POINT OF SALE DEBIT PALMETTO SPIRITS	TR DATE 02/19 SPARTANBURG SC 45800101
	02/22	-24.42	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 02/18 SPARTANBURG SC 00859329
	02/22	-88.68	POINT OF SALE DEBIT BI-LO 182	TR DATE 02/21 SPARTANBURG SC LK867084
	02/22	-67.58	POINT OF SALE DEBIT ACADEMY LTD	TR DATE 02/19 SPARTANBURG SC 00241286
	02/22	-44.58	POINT OF SALE DEBIT SPINK #243	TR DATE 02/22 SPARTANBURG SC 67104901
	02/22	-47.88	POINT OF SALE DEBIT LOWE'S #2585	TR DATE 02/20 SPARTANBURG SC 001
	02/22	-54.85	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 02/20 SPARTANBURG SC 88399801
	02/22	-188.37	POINT OF SALE DEBIT BI-LO 182	TR DATE 02/21 SPARTANBURG SC LK867084
	02/23	-19.42	POINT OF SALE DEBIT KANGAROO EXP # 3294	TR DATE 02/23 DUNCAN SC 82817201
	02/23	-18.19	POINT OF SALE DEBIT SHELL Service Station	TR DATE 02/22 SPARTANBURG SC 87857201
	02/25	-13.19	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 02/25 SPARTANBURG SC 82848401
	02/25	-45.88	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 02/24 SPARTANBURG SC 88399801
	02/25	-28.44	POINT OF SALE DEBIT FOOD LION #2870	TR DATE 02/24 SPARTANBURG SC 28267001
	02/28	-12.52	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 02/28 SPARTANBURG SC 00859329
	02/28	-15.89	POINT OF SALE DEBIT SHELL Service Station	TR DATE 02/27 SPARTANBURG SC 87857201
	02/28	-17.07	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 02/28 SPARTANBURG SC LK340837
	02/28	-18.88	POINT OF SALE DEBIT WAL-MART #1095	TR DATE 02/27 SPARTANBURG SC 24103801
	02/28	-28.45	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 02/28 SPARTANBURG SC 88399801
	02/28	-81.18	POINT OF SALE DEBIT JCPENNEY STORE 1751	TR DATE 02/28 SPARTANBURG SC 00000408
	02/28	-85.89	POINT OF SALE DEBIT BI-LO 182	TR DATE 02/28 SPARTANBURG SC LK867084
	02/28	-28.47	POINT OF SALE DEBIT PALMETTO SPIRITS	TR DATE 02/28 SPARTANBURG SC 45800101
	02/28	-27.54	POINT OF SALE DEBIT JCPENNEY STORE 1751	TR DATE 02/28 SPARTANBURG SC 00000408
	02/28	-89.89	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 02/28 SPARTANBURG SC LK340837
	02/28	-142.99	POINT OF SALE DEBIT Wal-Mart Super Center	TR DATE 02/28 SPARTANBURG SC 18380007
	03/01	-88.89	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 02/28 SPARTANBURG SC G1088C057
	03/01	-14.89	CHECK CARD PURCHASE BOJANGLES 718 02707180	TR DATE 02/28 SPARTANBURG SC
	03/01	-14.42	CHECK CARD PURCHASE MCDONALD'S F12841 QPS	TR DATE 02/27 SPARTANBURG SC

158518

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 3 of 6
63/814/0175/0 /22
1009084916419
03/24/2011



Account Statement

Withdrawals/ Debits	Date Paid 03/01	Amount	Description	
		~~23.10~~	POINT OF SALE DEBIT FINIX #201	TR DATE 03/01 SIMPSONVILLE SC 01208401
			<i>did not have</i>	
	03/02	~~14.86~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/01 SPARTANB SC FLG2
			<i>did not have</i>	
	03/02	~~25.01~~	POINT OF SALE DEBIT INGLES GAS EXP #202	TR DATE 03/01 SPARTANB SC RKC1
	03/03	~~19.85~~	CHECK CARD PURCHASE BOOTS & SONNY'S DRIVE	TR DATE 03/02 SPARTANBURG SC 85859902
	03/03	~~4.84~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 02/28 SPARTANBURG SC
	03/03	~~14.02~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/03 SPARTANBURG SC LK340837
	03/03	~~16.70~~	POINT OF SALE DEBIT WALGREEN COMPA	TR DATE 03/03 SPARTANBURG SC W0784827
	03/04	~~8.88~~	CHECK CARD PURCHASE KRYSTAL GSAD01 QPS	TR DATE 03/01 GREENVILLE SC
	03/04	~~12.10~~	CHECK CARD PURCHASE RITE AID STORE #115Q05	TR DATE 03/02 SPARTANBURG SC
	03/04	~~39.18~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 03/04 SPARTANBURG SC 85399901
	03/04	~~60.27~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/03 SPARTANBURG SC LK340837
	03/07	~~478.12~~	ELECTRONICACH DEBIT SETF FINANCE	6288848
	03/07	~~19.77~~	CHECK CARD PURCHASE CLOCK OF SPARTANBURG	TR DATE 03/03 SPARTANBURG SC
	03/07	~~14.78~~	CHECK CARD PURCHASE MCDONALD'S F12341 QPS	TR DATE 03/04 SPARTANBURG SC
	03/07	~~18.20~~	CHECK CARD PURCHASE LITTLE CAESARS 0002QPS	TR DATE 03/03 SPARTANBURG SC
	03/07	~~7.54~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/08 SPARTANBURG SC LK340837
	03/07	~~15.88~~	POINT OF SALE DEBIT KANGAROO EXP # 3294	TR DATE 03/06 DUNCAN SC 82817201
	03/07	~~25.88~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 03/08 SPARTANBURG SC 85399901
	03/07	~~38.88~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 03/04 SPARTANBURG SC 82848401
	03/08	~~40.88~~	CHECK CARD PURCHASE THAI CUISINE LLC QPS	TR DATE 03/06 DUNCAN SC
	03/08	~~32.34~~	CHECK CARD PURCHASE 888 CAFETERIA #20	TR DATE 03/05 GREENVILLE SC
	03/08	~~7.2~~	POINT OF SALE DEBIT FOOD LION #2670	TR DATE 03/07 SPARTANBURG SC 26267001
	03/08	~~9.15~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/08 SPARTANBURG SC LK340837
	03/08	~~40.82~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/08 SPARTANBURG SC LK340837
	03/09	~~23.84~~	CHECK CARD PURCHASE CLOCK OF SPARTANBURG	TR DATE 03/08 SPARTANBURG SC
	03/09	~~10.00~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 03/08 SPARTANBURG SC 85399901
	03/09	~~13.47~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 03/08 SPARTANBURG SC 85399901
	03/09	~~18.28~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 03/08 SPARTANBURG SC 00859629
	03/09	~~18.28~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 03/09 SPARTANBURG SC 00859629

158519

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 4 of 6
637814/0175/0 /22
1000084916419
03/24/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description		
	03/10	-27.54	CHECK CARD PURCHASE PILOT 00004531	GAFFNEY	TR DATE 03/08 SC
	03/10	-16.00	POINT OF SALE DEBIT SPINX #163	DUNCAN	TR DATE 03/10 SC 61282101
	03/10	-20.04	POINT OF SALE DEBIT SPINX #163	DUNCAN	TR DATE 03/10 SC 61282101
	03/14	-20.00	ELECTRONIC/ACH DEBIT COOPS HEALTH ABC CLUB FEES 823200385		
	03/14	-11.89	CHECK CARD PURCHASE RITE AID STORE #115Q05	SPARTANBURG	TR DATE 03/11 SC
	03/14	-16.34	CHECK CARD PURCHASE DUNCAN LIQUOR	DUNCAN	TR DATE 03/10 SC
	03/14	-6.85	POINT OF SALE DEBIT ADVANCE STORES GO INC	SPARTANBURG	TR DATE 03/13 SC 00288926
	03/14	-9.72	POINT OF SALE DEBIT HICKORY POINT 32	SPARTANBURG	TR DATE 03/12 SC LK340837
	03/14	-40.66	POINT OF SALE DEBIT CITGO CORNER M	INMAN	TR DATE 03/13 SC 004ANE40
	03/14	-14.49	POINT OF SALE DEBIT INGLES MARKET #204	SPARTANBURG	TR DATE 03/12 SC 82848401
	03/14	-15.87	POINT OF SALE DEBIT SHELL Service Station	SPARTANBURG	TR DATE 03/11 SC 87867201
	03/14	-19.86	POINT OF SALE DEBIT RITE AID CORP.	SPARTANBURG	TR DATE 03/11 SC 00859529
	03/14	-20.81	POINT OF SALE DEBIT SUNOCO 0050938800	SPARTANBURG	TR DATE 03/12 SC 05399801
	03/14	-25.06	POINT OF SALE DEBIT SUNOCO 0050938800	SPARTANBURG	TR DATE 03/14 SC 05399801
	03/14	-34.51	POINT OF SALE DEBIT BI-LO 182	SPARTANBURG	TR DATE 03/13 SC LK387084
	03/14	-64.17	POINT OF SALE DEBIT WAL-MART #1035	SPARTANBURG	TR DATE 03/12 SC 24103501
	03/15	-5.83	POINT OF SALE DEBIT ONE STOP SHOP		TR DATE 03/15 SC 00018410
	03/15	-18.30	POINT OF SALE DEBIT HICKORY POINT 32	SPARTANBURG	TR DATE 03/15 SC LK340837
	03/16	-16.89	ELECTRONIC/ACH DEBIT BILLMATRIX	BILL PAYMT	3892848
	03/16	588.89	ELECTRONIC/ACH DEBIT SETF	FINANCE	3899961
	03/18	-61.82	CHECK CARD PURCHASE HUNAN K RESTAURANT	SPARTANBURG	TR DATE 03/14 SC
	03/18	-23.00	POINT OF SALE DEBIT SUNOCO 0050938800	SPARTANBURG	TR DATE 03/16 SC 88399801
	03/17	-247.93	ELECTRONIC/ACH DEBIT VZ WIRELESS VE	E CHECK	2039916
	03/17	-49.74	POINT OF SALE DEBIT WAL-MART #1035	SPARTANBURG	TR DATE 03/17 SC 24103501
	03/18	-185.82	ELECTRONIC/ACH DEBIT Piedmont NAT GAS	CHECKPYMT	1080
	03/18	-19.89	CHECK CARD PURCHASE SAM'S CORNER	SPARTANBURG	TR DATE 03/15 SC
	03/18	-20.92	CHECK CARD PURCHASE ONE STOP SHOP	MOORE	TR DATE 03/15 SC
	03/18	-8.97	POINT OF SALE DEBIT HICKORY POINT 32	SPARTANBURG	TR DATE 03/17 SC LK340837
	03/18	-22.82	POINT OF SALE DEBIT SUNOCO 0050938800	SPARTANBURG	TR DATE 03/18 SC 88399801
	03/21	-8.73	POINT OF SALE DEBIT KANGAROO EXP # 1610	SPARTANBURG	TR DATE 03/21 SC 83324501
	03/21	-17.85	POINT OF SALE DEBIT FOOD LION #2670	SPARTANBURG	TR DATE 03/18 SC 28287001

158520

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 5 of 6
63/814/0175/0 /22
1000084916419
03/24/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	03/21	~~25.19~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/19 SPARTANBURG SC LK340837
	03/21	~~23.22~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 03/19 SPARTANBURG SC 00869529
	03/21	~~25.81~~	POINT OF SALE DEBIT CIRCLE K 05887	TR DATE 03/19 MOORE SC 254
	03/21	~~35.87~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 03/20 SPARTANBURG SC 62848401
	03/22	~~5.87~~	CHECK CARD PURCHASE RICKY'S DRIVE INTERNAT	TR DATE 03/18 SPARTANBURG SC
	03/22	~~31.48~~	CHECK CARD PURCHASE RYANS #2107	TR DATE 03/19 SPARTANBURG SC
	03/22	~~12.75~~	POINT OF SALE DEBIT OFFICE DEPOT	TR DATE 03/22 SPARTANBURG SC 020011
	03/22	~~25.00~~	POINT OF SALE DEBIT CIRCLE K 05887	TR DATE 03/22 MOORE SC 254
	03/23	~~188.24~~	ELECTRONIC/ACH DEBIT ATT	480803001EVR1P
	03/23	~~14.42~~	POINT OF SALE DEBIT KANGAROO EXP # 3294	TR DATE 03/23 DUNCAN SC 82817201
	03/23	~~28.89~~	POINT OF SALE DEBIT JCPENNEY STORE 1761	TR DATE 03/23 SPARTANBURG SC 00000002
	03/23	~~88.52~~	POINT OF SALE DEBIT HOB-LOB #318	TR DATE 03/23 Spartanburg SC 88108160
	03/23	~~89.27~~	POINT OF SALE DEBIT TARGET T1348 SPARTANBU	TR DATE 03/23 SPARTANBURG SC 19490075
	03/23	~~72.81~~	POINT OF SALE DEBIT B-I-L-O 182	TR DATE 03/23 SPARTANBURG SC LK887084
	03/24	~~16.85~~	POINT OF SALE DEBIT PETSMART INC 4	TR DATE 03/24 SPARTANBURG SC 001

Withdrawals/Debits: 114

Balance Activity History	Date	Balance	Collected Balance	Date	Balance	Collected Balance
	02/19	1,430.38	290.38	03/10	988.15	988.15
	02/22	728.78	728.78	03/11	487.92	487.92
	02/23	688.15	688.15	03/14	1,770.41	870.41
	02/25	1,838.62	838.62	03/15	2,941.80	2,941.80
	02/28	1,481.10	1,481.10	03/16	2,498.33	2,498.33
	03/01	1,349.28	1,349.28	03/17	200.08	200.08
	03/02	1,278.35	1,278.35	03/18	1,284.88	1,284.88
	03/03	1,149.34	1,149.34	03/21	1,132.20	1,132.20
	03/04	1,688.03	688.03	03/22	1,054.57	1,054.57
	03/07	1,380.54	1,380.54	03/23	888.91	888.91
	03/08	1,117.72	1,117.72	03/24	888.89	888.89
	03/09	1,031.87	1,031.87			

158521

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 1 of 6
63/514/0175/0 /22
1600884916419
04/22/2011



Apr

Account Statement



DONNA M GELOTTE OR
JOSEPH A GELOTTE DIP
CASE#08-07528
213 W KILLARNEY LK
MOORE SC 29369-9112

Questions? Please call
1-800-786-8787

THANK YOU FOR BANKING WITH SUNTRUST. TO LEARN MORE ABOUT HOW SUNTRUST CAN MEET YOUR FINANCIAL SERVICES NEEDS, PLEASE VISIT OUR WEB SITE AT WWW.SUNTRUST.COM

Account Summary	Account Type	Account Number	Statement Period
	FREE CHECKING	1000084916419	03/23/2011 - 04/22/2011

Description	Amount	Description	Amount
Beginning Balance	\$886.69	Average Balance	\$2,083.11
Deposits/Credits	\$8,880.00	Average Collected Balance	\$2,083.11
Checks	\$2,621.78	Number of Days in Statement Period	29
Withdrawals/Debits	\$8,440.77		
Ending Balance	\$3,184.16		

Deposits/Credits	Date	Amount	Description
	03/25	~~9,286.00~~	DEPOSIT - 1895.00 of deposit was last check from Shane Davis, attached to this statement
	04/01	~~1,488.00~~	DEPOSIT
	04/08	~~1,400.00~~	DEPOSIT
	04/15	~~1,483.69~~	DEPOSIT
	04/19	~~82.00~~	DEPOSIT - for gas
	04/22	~~1,400.00~~	DEPOSIT

Deposits/Credits: 6 Total Items Deposited: 0

Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	1082	~~72.99~~	03/28	1089	~~489.28~~	04/05	1093	~~148.15~~	04/19
	*1084	~~1,488.45~~	03/30	1090	~~280.00~~	04/04	1094	~~126.89~~	04/19
	*1086	~~112.57~~	04/08	1091	~~88.00~~	04/14	1095	~~128.64~~	04/19
	*1088	~~489.69~~	04/08	1092	~~18.00~~	04/18			

Checks: 11

*Break in check sequence

Withdrawals/Debits	Date Paid	Amount	Description
	03/25	~~9.25~~	CHECK CARD PURCHASE NI HAO BUFFET QPS
	03/25	~~42.39~~	CHECK CARD PURCHASE VERIZON WRLS 0389301
	03/25	~~5.40~~	POINT OF SALE DEBIT RITE AID CORP.
	03/25	~~15.35~~	POINT OF SALE DEBIT PUMPERB 9
	03/25	~~24.51~~	POINT OF SALE DEBIT RITE AID CORP.
	03/25	~~25.04~~	POINT OF SALE DEBIT HICKORY POINT 32
	03/25	~~71.42~~	POINT OF SALE DEBIT Wal-Mart Super Center
	03/28	~~6.60~~	CHECK CARD PURCHASE MCDONALD'S F18030 QPS

TR DATE 03/23
GREENVILLE SC
TR DATE 03/22
SPARTANBURG SC
TR DATE 03/24
SPARTANBURG SC 00855529
TR DATE 03/25
MAULDIN SC LK448997
TR DATE 03/24
SPARTANBURG SC 00855529
TR DATE 03/25
SPARTANBURG SC LK340837
TR DATE 03/25
SPARTANBURG SC 10950001
TR DATE 03/24
DUNCAN SC

122428

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 2 of 6
437814/0175/0 /22
1090084916419
04/22/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	03/28	~~20.08~~	CHECK CARD PURCHASE LYMAN CITGO Q89	TR DATE 03/24 LYMAN SC
	03/28	~~41.18~~	POINT OF SALE DEBIT BUNOCO 0030839800	TR DATE 03/27 SPARTANBURG SC 85389801
	03/28	~~19.21~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/28 SPARTANBURG SC LK340837
	03/28	~~20.47~~	POINT OF SALE DEBIT SPINX #163	TR DATE 03/28 DUNCAN SC 61282101
	03/28	~~25.08~~	POINT OF SALE DEBIT NESTORS SALON	TR DATE 03/28 SPARTANBURG SC 56110001
	03/28	~~25.85~~	POINT OF SALE DEBIT MIKE AND JACKS	TR DATE 03/28 GREENVILLE SC LK824875
	03/28	~~27.99~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 03/27 SPARTANBURG SC LK687084
	03/28	~~49.18~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 03/28 SPARTANBURG SC LK340837
	03/29	~~396.00~~	ELECTRONICACH DEBIT ALLSTATE P&O INS INS PYMT	000000885057191
	03/29	~~18.25~~	CHECK CARD PURCHASE FRANKIES FUN PARK OF G	TR DATE 03/28 GREENVILLE SC
	03/29	~~18.33~~	CHECK CARD PURCHASE A & P BEVERAGE #2	TR DATE 03/28 SPARTANBURG SC
	03/29	~~29.79~~	CHECK CARD PURCHASE JOHNNY ROCKETTS OF GREE	TR DATE 03/28 GREENVILLE SC
	03/29	~~20.82~~	CHECK CARD PURCHASE CLOCK OF SPARTANBURG	TR DATE 03/28 SPARTANBURG SC
	03/29	~~17.94~~	POINT OF SALE DEBIT LOWE'S #2595	TR DATE 03/28 SPARTANBURG SC 001
	03/30	~~9.45~~	CHECK CARD PURCHASE PIZZA HUT #023981	TR DATE 03/28 SIMPSONVILLE SC
	03/30	~~17.05~~	CHECK CARD PURCHASE LITTLE CAESARS 0002QPS	TR DATE 03/28 SPARTANBURG SC
	03/30	~~17.98~~	CHECK CARD PURCHASE HARDEES 15017846	TR DATE 03/27 SPARTANBURG SC
	03/30	~~8.85~~	POINT OF SALE DEBIT 1000 SPINX 110 BP	TR DATE 03/30 GREENVILLE SC 85500701
	03/30	~~11.84~~	POINT OF SALE DEBIT CIRCLE K 05387	TR DATE 03/29 MOORE SC 205
	03/30	~~14.29~~	POINT OF SALE DEBIT RITE AID CORP	TR DATE 03/29 SPARTANBURG SC 00859529
	03/30	~~35.82~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 03/30 SPARTANBURG SC LK687084
	03/30	~~194.84~~	POINT OF SALE DEBIT Wal-Mart Super Center	TR DATE 03/30 SPARTANBURG SC 10380005
	03/31	~~18.88~~	CHECK CARD PURCHASE ROEBUCK ONE STOP	TR DATE 03/28 ROEBUCK SC
	04/01	~~8.14~~	CHECK CARD PURCHASE MODONALD'S F32823 QPS	TR DATE 03/29 GREER SC
	04/01	~~18.37~~	POINT OF SALE DEBIT SPINX #134	TR DATE 04/01 SIMPSONVILLE SC 61281301
	04/01	~~17.23~~	POINT OF SALE DEBIT WALGREEN COMPA	TR DATE 04/01 SPARTANBURG SC W0764827
	04/01	~~20.28~~	POINT OF SALE DEBIT RITE AID CORP	TR DATE 03/31 SPARTANBURG SC 00859529
	04/01	~~22.22~~	POINT OF SALE DEBIT RITE AID CORP	TR DATE 03/31 SPARTANBURG SC 00859529
	04/01	~~23.05~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 04/01 SPARTANBURG SC LK340837
	04/01	~~25.14~~	POINT OF SALE DEBIT SHELL Service Station	TR DATE 04/01 DUNCAN SC 87364201
	04/01	~~48.84~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 04/01 SPARTANBURG SC LK687084

122429

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 3 of 6
63/814/0175/0 /22
1800084916419
04/22/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	04/04	~~144.58~~	ELECTRONIC/ACH DEBIT	
			PIEDMONT NAT GAS CHECKPYMT 1087	
	04/04	~~5.11~~	POINT OF SALE DEBIT	TR DATE 04/04
			WAL-MART #1085	SPARTANBURG SC 24103501
	04/04	~~12.22~~	POINT OF SALE DEBIT	TR DATE 04/02
			HICKORY POINT 32	SPARTANBURG SC LK340837
	04/04	~~19.68~~	POINT OF SALE DEBIT	TR DATE 04/02
			HICKORY POINT 32	SPARTANBURG SC LK340837
	04/04	~~29.89~~	POINT OF SALE DEBIT	TR DATE 04/02
			SUNOCO 0754856100	GREENVILLE SC 85123301
	04/04	~~21.49~~	POINT OF SALE DEBIT	TR DATE 04/02
			PALMETTO SPIRITS	SPARTANBURG SC 45600101
	04/04	~~59.89~~	POINT OF SALE DEBIT	TR DATE 04/04
			SUNOCO 0050839800	SPARTANBURG SC 85399801
	04/05	~~12.86~~	CHECK CARD PURCHASE	TR DATE 04/02
			FRANKIES FUN PARK OF G	GREENVILLE SC
	04/05	~~38.48~~	CHECK CARD PURCHASE	TR DATE 04/02
			PALMETTO SPIRITS	SPARTANBURG SC
	04/05	~~27.83~~	CHECK CARD PURCHASE	TR DATE 04/01
			CLOCK OF SPARTANBURG	SPARTANBURG SC
	04/05	~~28.00~~	CHECK CARD PURCHASE	TR DATE 04/02
			FRANKIES FUN PARK OF G	GREENVILLE SC
	04/05	~~89.84~~	CHECK CARD PURCHASE	TR DATE 04/02
			CLOCK OF SPARTANBURG	SPARTANBURG SC
	04/05	~~38.87~~	CHECK CARD PURCHASE	TR DATE 04/02
			S&S CAFETERIA #20	GREENVILLE SC
	04/05	~~89.80~~	CHECK CARD PURCHASE	TR DATE 04/02
			FRANKIES FUN PARK OF G	GREENVILLE SC
	04/05	~~7.91~~	POINT OF SALE DEBIT	TR DATE 04/05
			MR PETE'S MKT VI	ETOWAH NC 83829901
	04/05	~~38.29~~	POINT OF SALE DEBIT	TR DATE 04/05
			SPINX #121	GREER SC 61280801
	04/05	~~42.40~~	POINT OF SALE DEBIT	TR DATE 04/05
			Wal-Mart Super Center	SPARTANBURG SC 12910087
	04/05	~~76.80~~	POINT OF SALE DEBIT	TR DATE 04/04
			INGLES MARKET #204	SPARTANBURG SC 82948401
	04/05	~~89.24~~	POINT OF SALE DEBIT	TR DATE 04/05
			WAL-MART #1281	SPARTANBURG SC 24129101
	04/06	~~8.48~~	CHECK CARD PURCHASE	TR DATE 04/04
			ZAXBY'S 10001 Q31	SPARTANBURG SC
	04/06	~~8.83~~	POINT OF SALE DEBIT	TR DATE 04/06
			CIRCLE K 08387	MOORE SC 208
	04/06	~~10.84~~	POINT OF SALE DEBIT	TR DATE 04/06
			1000 SPINX 110 BP	GREENVILLE SC 85500701
	04/06	~~20.81~~	POINT OF SALE DEBIT	TR DATE 04/08
			HICKORY POINT 32	SPARTANBURG SC LK340837
	04/06	~~29.03~~	POINT OF SALE DEBIT	TR DATE 04/08
			SUNOCO 0050839800	SPARTANBURG SC 85399801
	04/07	~~29.82~~	CHECK CARD PURCHASE	TR DATE 04/05
			ARBY'S #0041 Q52	GREENVILLE SC
	04/07	~~39.88~~	POINT OF SALE DEBIT	TR DATE 04/08
			HICKORY POINT 32	SPARTANBURG SC LK340837
	04/08	~~4.28~~	CHECK CARD PURCHASE	TR DATE 04/06
			MCDONALD'S F10104 QPS	GREENVILLE SC
	04/08	~~8.84~~	POINT OF SALE DEBIT	TR DATE 04/08
			Wal-Mart Super Center	SPARTANBURG SC 10350071
	04/08	~~41.18~~	POINT OF SALE DEBIT	TR DATE 04/08
			PUMPERS 9	MAULDIN SC LK449997
	04/08	~~48.41~~	POINT OF SALE DEBIT	TR DATE 04/08
			FOOD LION #2670	SPARTANBURG SC 28267001
	04/11	~~17.87~~	CHECK CARD PURCHASE	TR DATE 04/07
			RICKYS DRIVE IN WEST	SPARTANBURG SC

122439

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 4 of 6
63/814/0175/0 /22
1000084916419
04/22/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	04/11	~~5.88~~	POINT OF SALE DEBIT WALGREEN COMPA	TR DATE 04/10 SPARTANBURG SC W0764827
	04/11	~~7.28~~	POINT OF SALE DEBIT KANGAROO EXP #820	TR DATE 04/11 SIMPSONVILLE SC 83880301
	04/11	~~8.34~~	POINT OF SALE DEBIT LOWE'S #2595	TR DATE 04/08 SPARTANBURG SC 001
	04/11	~~18.54~~	POINT OF SALE DEBIT SPINX #120	TR DATE 04/09 MAULDIN SC 88861801
	04/11	~~20.81~~	POINT OF SALE DEBIT KANGAROO EXPRE	TR DATE 04/08 CAMPOBELLO SC PNTY343
	04/11	~~28.78~~	POINT OF SALE DEBIT FOOD LION #2670	TR DATE 04/10 SPARTANBURG SC 28287001
	04/11	~~24.83~~	POINT OF SALE DEBIT KANGAROO EXP # 3277	TR DATE 04/11 GREENVILLE SC 82820501
	04/11	~~35.01~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 04/11 SPARTANBURG SC LK340837
	04/11	~~118.88~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 04/10 SPARTANBURG SC 82846401
	04/12	~~28.00~~	ELECTRONICACH DEBIT COOP8 HEALTH ABC CLUB FEES	628210868
	04/12	~~202.78~~	ELECTRONICACH DEBIT ALLSTATE IND CO INS PYMT	00000890840497
	04/12	~~80.80~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 04/11 SPARTANBURG SC G108SC057
	04/12	~~15.28~~	CHECK CARD PURCHASE SUNOCO 0050839800 QPS	TR DATE 04/08 SPARTANBURG SC
	04/12	~~18.81~~	CHECK CARD PURCHASE CHICK-FIL-A #00808QPS	TR DATE 04/08 SPARTANBURG SC
	04/12	~~85.98~~	CHECK CARD PURCHASE CORONA MEXICAN RESTAUR	TR DATE 04/08 SPARTANBURG SC
	04/13	~~7.73~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 04/13 SPARTANBURG SC 82846401
	04/13	~~42.83~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 04/12 SPARTANBURG SC 82839801
	04/13	~~28.02~~	POINT OF SALE DEBIT CIRCLE K 05387	TR DATE 04/12 MOORE SC 254
	04/13	~~38.80~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 04/13 SPARTANBURG SC LK887084
	04/14	~~7.57~~	POINT OF SALE DEBIT MILLENNIUM BP	TR DATE 04/13 GREENVILLE SC 90581101
	04/15	~~9.81~~	POINT OF SALE DEBIT SPINX #201	TR DATE 04/14 SIMPSONVILLE SC 81283401
	04/15	~~10.45~~	POINT OF SALE DEBIT MILLENNIUM BP	TR DATE 04/15 GREENVILLE SC 90581101
	04/18	~~7.42~~	CHECK CARD PURCHASE KRYSTAL GSA001 QPS	TR DATE 04/18 GREENVILLE SC
	04/18	~~28.77~~	CHECK CARD PURCHASE LITTLE CAESARS 0002	TR DATE 04/18 SPARTANBURG SC
	04/18	~~9.42~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 04/17 SPARTANBURG SC 85389801
	04/18	~~12.08~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 04/18 SPARTANBURG SC 85389801
	04/18	~~20.81~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 04/18 SPARTANBURG SC LK340837
	04/18	~~21.67~~	POINT OF SALE DEBIT FOOD LION #2670	TR DATE 04/18 SPARTANBURG SC 28287001
	04/18	~~89.80~~	POINT OF SALE DEBIT Wal-Mart Super Center	TR DATE 04/18 SPARTANBURG SC 10880008
	04/18	~~7.04~~	CHECK CARD PURCHASE WHITEFORDS BURGERS	TR DATE 04/15 LAURENS SC
	04/18	~~7.88~~	CHECK CARD PURCHASE CHICK-FIL-A #00805	TR DATE 04/18 SPARTANBURG SC

122431

Member FDIC

Continued on next page

DAVIS CONTRACTING, LLC
1072 RABBIT MOFFIT ROAD
CHEBEE, SC 29523

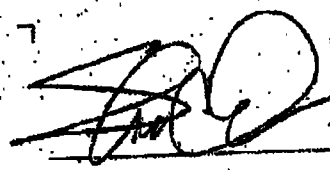
NATIONAL BANK  8034
510 N. Pine St.
Spartanburg, SC 29583

DATE 3/21/11

PAY TO THE ORDER OF One thousand Eight hundred Ninety Five & 00/100 DOLLARS \$ 1,895.00

JOE LOCOTTE

FOR _____



Cashed check #

JE - 1500.00 cash

1st week 3/21 - 3/25

1895
1400
3295



Thank you for banking with SunTrust
For Account Information call 800.SunTrust (800.786.6787)

last ck from share
3/25/11

110 CASH DEPOSIT
XXXXXXXXXX419 Bus. Date 25Mar.2011 AM
316 3,200.00 CASH
22073808 20828 8 3,200.00 TOTAL
Transaction Date: 25Mar.2011 17:21:45

101828 (8/07)

This is your receipt showing bank, date, time, type of account and amount.
All deposits are credited to your account subject to verification and final payment.

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 1 of 6
63/B14/0175/8 /22
1000084916419
05/23/2011



May 2011

Account Statement

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

DONNA M GELOTTE OR
JOSEPH A GELOTTE DIP
CASE008-07528
213 W KILLARNEY LK
MOORE SC 29369-9112

Questions? Please call
1-800-786-8787

THANK YOU FOR BANKING WITH SUNTRUST. TO LEARN MORE ABOUT HOW SUNTRUST CAN MEET
YOUR FINANCIAL SERVICES NEEDS, PLEASE VISIT OUR WEB SITE AT WWW.SUNTRUST.COM

Account Summary	Account Type	Account Number	Statement Period
	FREE CHECKING	1000084916419	04/23/2011 - 05/23/2011

Description	Amount	Description	Amount
Beginning Balance	\$3,184.18	Average Balance	\$1,434.73
Deposits/Credits	\$8,210.00	Average Collected Balance	\$1,434.73
Checks	\$4,181.54	Number of Days In Statement Period	31
Withdrawals/Debits	\$4,378.58		
Ending Balance	\$324.06		

Deposits/ Credits	Date	Amount	Description
*	04/28	1,300.00	DEPOSIT
	05/05	800.00	DEPOSIT
	05/08	1,300.00	DEPOSIT
	05/10	1,700.00	DEPOSIT
	05/19	88.00	DEPOSIT
	05/20	1,300.00	DEPOSIT

Deposits/Credits: 6 Total Items Deposited: 0

Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	1085	40.00	04/29	1100	848.33	05/17	1100	50.00	06/17
	1086	1,888.00	04/28	1102	148.15	05/17	1102	1,888.00	05/17
	1087	400.00	05/10	1103	428.24	05/17	1082	104.44	05/09
	1088	50.00	05/08	1104	128.54	05/17	1083	3.50	06/10

Checks: 12 *Break in check sequence

Withdrawals/ Debits	Date Paid	Amount	Description
	04/25	188.40	ELECTRONIC/ACH DEBIT ATT Payment 382988001EVR1V
	04/25	258.84	ELECTRONIC/ACH DEBIT VZ WIRELESS VE E CHECK 0144431
	04/25	7.13	CHECK CARD PURCHASE APL iTUNES TR DATE 04/22 866-712-7753 CA
	04/25	5.04	POINT OF SALE DEBIT MR PETE I TR DATE 04/25 BREVARD NC 83623401
	04/25	7.13	POINT OF SALE DEBIT RACEWAY6753 TR DATE 04/25 SPARTANBURG SC 34928802
	04/25	3.46	POINT OF SALE DEBIT WALGREEN COMPA TR DATE 04/23 SPARTANBURG SC W0784627
	04/25	10.25	POINT OF SALE DEBIT SPINX #244 TR DATE 04/23 SPARTANBURG SC 88478401
	04/25	40.88	POINT OF SALE DEBIT SUNOCO 0050839800 TR DATE 04/24 SPARTANBURG SC 63389901

120295

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 2 of 6
63/814/0175/0 /22
1000084916419
05/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	04/25	28.00	POINT OF SALE DEBIT FOOD LION #2670	TR DATE 04/23 SPARTANBURG SC 26287001
	04/25	-85.45	POINT OF SALE DEBIT FRESH MKT-014 SPA	TR DATE 04/23 SPARTANBURG SC LK608481
	04/25	-80.00	POINT OF SALE DEBIT SPINX #243	TR DATE 04/24 SPARTANBURG SC 87104801
	04/25	-108.85	POINT OF SALE DEBIT BI-LO 182	TR DATE 04/23 SPARTANBURG SC LK867084
	04/26	-552.01	ELECTRONIC/ACH DEBIT SETF CONSUMER AB BILL PAY	7330920641
	04/28	-4.34	CHECK CARD PURCHASE WENDYS #0038 Q25	TR DATE 04/22 SPARTANBURG SC
	04/28	-18.89	CHECK CARD PURCHASE ABBOTT FRUIT MARKETS	TR DATE 04/23 SPARTANBURG SC
	04/28	-20.70	CHECK CARD PURCHASE WENDYS #0038 Q25	TR DATE 04/22 SPARTANBURG SC
	04/28	-5.91	POINT OF SALE DEBIT KANGAROO EXPRE	TR DATE 04/28 GASTONIA NC PNTY386
	04/28	-69.25	POINT OF SALE DEBIT WAL-MART #1085	TR DATE 04/28 SPARTANBURG SC 24103501
	04/27	-10.70	CHECK CARD PURCHASE KRISPY KREME	TR DATE 04/24 SPARTANBURG SC
	04/28	-4.85	CHECK CARD PURCHASE MCDONALD'S F39887	TR DATE 04/28 BUCKSBURG SC
	05/02	-22.49	CHECK CARD PURCHASE MCDONALD'S F11687	TR DATE 04/29 SPARTANBURG SC
	05/02	-5.87	POINT OF SALE DEBIT MILLENNIUM BP	TR DATE 05/02 GREENVILLE SC 90581101
	05/02	-5.89	POINT OF SALE DEBIT HICKORY POINT 153	TR DATE 05/01 GREENVILLE SC LK640232
	05/02	-7.32	POINT OF SALE DEBIT SUNOCO 0050939800	TR DATE 05/01 SPARTANBURG SC 85399801
	05/02	-3.46	POINT OF SALE DEBIT MILLENNIUM BP	TR DATE 04/30 GREENVILLE SC 90581101
	05/02	-48.01	POINT OF SALE DEBIT SUNOCO 0050939800	TR DATE 04/29 SPARTANBURG SC 85399801
	05/03	-42.91	CHECK CARD PURCHASE BURGER KING #7993 Q07	TR DATE 04/30 SPARTANBURG SC
	05/03	-80.86	CHECK CARD PURCHASE HUNAN K RESTAURANT	TR DATE 05/01 SPARTANBURG SC
	05/03	-35.50	CHECK CARD PURCHASE ZAXBY'S 10001 Q81	TR DATE 04/30 SPARTANBURG SC
	05/03	-12.33	POINT OF SALE DEBIT SUNOCO 0050939800	TR DATE 05/02 SPARTANBURG SC 85399801
	05/04	-3.74	CHECK CARD PURCHASE QUINOS SUB # 1221SQPS	TR DATE 05/02 GASTONIA NC
	05/04	-15.89	CHECK CARD PURCHASE HARDEES 15017348	TR DATE 05/01 SPARTANBURG SC
	05/04	-25.00	POINT OF SALE DEBIT SUNOCO 0321988700	TR DATE 05/04 GREER SC 85391201
	05/05	-7.88	POINT OF SALE DEBIT JAY'S CITGO	TR DATE 05/05 LAURENS SC 009LMG88
	05/05	-30.83	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 05/05 SPARTANBURG SC 82848401
	05/06	-198.00	ELECTRONIC/ACH DEBIT ALLSTATE P&C INS INS PYMT	000000835037191
	05/06	-11.28	CHECK CARD PURCHASE MCALISTER'S DELI 1298	TR DATE 05/04 GASTONIA NC
	05/06	-44.89	POINT OF SALE DEBIT HICKORY POINT 82	TR DATE 05/06 SPARTANBURG SC LK340837
	05/06	-14.85	POINT OF SALE DEBIT KANGAROO EXPRE	TR DATE 05/08 CAMPOBELLO SC PNTY343

120296

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 3 of 6
63/814/0175/0 /22
1000084916419
05/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	05/08	~~20.88~~	POINT OF SALE DEBIT BEDBATH&BEYOND	TR DATE 05/08 SPARTENBURG SC 08870004
	05/08	~~42.88~~	POINT OF SALE DEBIT GUNTHERS GARDE	TR DATE 05/08 SPARTANBURG SC 10014685
	05/09	~~11.81~~	CHECK CARD PURCHASE KELLETT'S QUICK ST	TR DATE 05/08 GRAY COURT SC
	05/09	~~6.78~~	POINT OF SALE DEBIT INGLES MARKET#37	TR DATE 05/09 SPARTANBURG SC 82838201
	05/09	~~48.87~~	POINT OF SALE DEBIT EXXONMOBIL POS	TR DATE 05/07 FORT MIL SC 08C2
	05/09	~~44.84~~	POINT OF SALE DEBIT SHELL Service Station	TR DATE 05/08 SPARTANBURG SC 87857201
	05/09	~~20.88~~	POINT OF SALE DEBIT CIROLE K 05387	TR DATE 05/08 MOORE SC 258
	05/09	~~28.81~~	POINT OF SALE DEBIT KANGAROO 3438	TR DATE 05/09 GAFFNEY SC PNTY349
	05/09	~~25.81~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/07 SPARTANBURG SC LK340837
	05/10	~~81.88~~	ELECTRONICACH DEBIT PIEDMONT NAT GAS	CHECKPYMT 1088
	05/10	~~600.00~~	ELECTRONICACH DEBIT ABU- VCI Car Pmt	CHECKPAYMT 1101
	05/10	~~4.18~~	CHECK CARD PURCHASE HARDEES 18017282	TR DATE 05/07 BLACKBURG SC
	05/10	~~25.88~~	CHECK CARD PURCHASE MICHAELS #3855	TR DATE 05/07 SPARTANBURG SC
	05/10	~~4.22~~	POINT OF SALE DEBIT BATTLEGROUND BP	TR DATE 05/10 KINGS MOUNTAIN SC 85408001
	05/10	~~7.87~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/09 SPARTANBURG SC LK340837
	05/10	~~15.70~~	POINT OF SALE DEBIT B-HO 182	TR DATE 05/10 SPARTANBURG SC LK887084
	05/10	~~42.37~~	POINT OF SALE DEBIT SEARS ROEBUCK 1545	TR DATE 05/10 SPARTANBURG SC 01071672
	05/10	~~401.28~~	POINT OF SALE DEBIT Wal-Mart Super	TR DATE 05/10 SPARTANBURG SC 10350013
	05/11	~~5.48~~	CHECK CARD PURCHASE LITTLE CAESARS 0002	TR DATE 05/09 SPARTANBURG SC
	05/11	~~42.54~~	CHECK CARD PURCHASE BURGER KING #7938 Q07	TR DATE 05/09 SPARTANBURG SC
	05/11	~~8.88~~	POINT OF SALE DEBIT ONE STOP SHOP	TR DATE 05/11 MOORE SC 00018410
	05/11	~~8.87~~	POINT OF SALE DEBIT SHELL Service Station	TR DATE 05/11 BLACKBURG SC 81497401
	05/11	~~48.81~~	POINT OF SALE DEBIT KANGAROO EXPRE	TR DATE 05/11 GASTONIA NC PNTY387
	05/12	~~28.88~~	ELECTRONICACH DEBIT COOPS HEALTH ABC	CLUB FEES 828200363
	05/12	~~88.88~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 05/12 SPARTANBURG SC 01088C057
	05/12	~~8.47~~	CHECK CARD PURCHASE PIZZA HUT #014480	TR DATE 05/10 GASTONIA NC
	05/12	~~12.88~~	POINT OF SALE DEBIT SUNOCO 0080889800	TR DATE 05/11 SPARTANBURG SC 85398801
	05/12	~~20.85~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/12 SPARTANBURG SC LK340837
	05/12	~~81.27~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 05/12 SPARTANBURG SC 82848401
	05/16	~~18.82~~	CHECK CARD PURCHASE KFC	TR DATE 05/12 SPARTANBURG SC
	05/16	~~7.18~~	POINT OF SALE DEBIT LITTLE GIANT BP #2	TR DATE 05/16 ROCK HILL SC 82894401

128297

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 4 of 6
63/814/0175/0 /22
1000084916419
05/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	05/16	2.64	POINT OF SALE DEBIT KANGAROO EXP # 3285	TR DATE 05/15 GREENVILLE SC 82820801
	05/16	8.99	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/13 SPARTANBURG SC LK340837
	05/16	18.99	POINT OF SALE DEBIT SPINX #248	TR DATE 05/13 SPARTANBURG SC 87104901
	05/16	28.99	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/14 SPARTANBURG SC LK340887
	05/16	28.99	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/18 SPARTANBURG SC LK340897
	05/16	28.99	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/14 SPARTANBURG SC LK340837
	05/16	28.99	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 05/14 SPARTANBURG SC 00859529
	05/16	28.97	POINT OF SALE DEBIT DODGES STORE NUMBE	TR DATE 05/14 EASLEY SC LK421816
	05/17	16.94	CHECK CARD PURCHASE BOJANGLES 708 02707057	TR DATE 05/14 EASLEY SC
	05/17	39.99	CHECK CARD PURCHASE PIZZA INN 141078	TR DATE 05/14 EASLEY SC
	05/17	48.94	CHECK CARD PURCHASE DENNY'S #7802	TR DATE 05/18 SPARTANBURG SC
	05/17	3.19	POINT OF SALE DEBIT SUNOCO 0134009000	TR DATE 05/16 GASTONIA NC 65307101
	05/17	7.77	POINT OF SALE DEBIT CORNER MART #2	TR DATE 05/17 GREENVILLE SC 004ANE25
	05/17	41.84	POINT OF SALE DEBIT BI-LO 182	TR DATE 05/17 SPARTANBURG SC LK857084
	05/17	59.76	POINT OF SALE DEBIT FOOD LION #2870	TR DATE 05/18 SPARTANBURG SC 28287001
	05/18	4.88	CHECK CARD PURCHASE MCDONALD'S F22501	TR DATE 05/16 KINGS MOUNTAIN
	05/18	18.00	CHECK CARD PURCHASE PEDIATRIC ASSOCIATES	TR DATE 05/18 SPARTANBURG SC
	05/18	6.75	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 05/18 SPARTANBURG SC 82846401
	05/18	118.52	POINT OF SALE DEBIT WAL-MART #1095	TR DATE 05/18 SPARTANBURG SC 24108501
	05/18	190.00	ELECTRONIC/ACH DEBIT VZ WIRELESS VE	E CHECK 6097078
	05/19	7.99	CHECK CARD PURCHASE CHICK-FIL-A #01017	TR DATE 05/16 SPARTANBURG SC
	05/19	9.99	POINT OF SALE DEBIT SUNOCO 0184009000	TR DATE 05/18 GASTONIA NC 65307101
	05/19	29.14	POINT OF SALE DEBIT SHELL Service Station	TR DATE 05/19 CHARLOTTE NC 13993801
	05/23	89.52	ELECTRONIC/ACH DEBIT VZ WIRELESS VE	E CHECK 6576198
	05/23	249.88	ELECTRONIC/ACH DEBIT ATT	Payment 651630001EVR1X
	05/23	488.47	ELECTRONIC/ACH DEBIT SETF CONSUMER AB	BILL PAY 7442454501
	05/23	3.99	CHECK CARD PURCHASE FILL UPS	TR DATE 05/20 GRAY COURT SC
	05/23	10.92	CHECK CARD PURCHASE HOT SPOT #2010	TR DATE 05/19 SPARTANBURG SC
	05/23	19.57	CHECK CARD PURCHASE THAI HOUSE OF GASTONIA	TR DATE 05/18 GASTONIA NC
	05/23	9.97	POINT OF SALE DEBIT CORNER STOP 57	TR DATE 05/21 LAURENS SC 004CHG48
	05/23	48.99	POINT OF SALE DEBIT SUNOCO 0080989800	TR DATE 05/20 SPARTANBURG SC 65398801

120298

Number FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 5 of 6
63/814/0175/0 /22
1000064916419
05/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	05/23	~~10.00~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 05/22 SPARTANBURG SC LK887084
	05/23	~~23.35~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 05/20 SPARTANBURG SC 00868829
	05/23	~~25.00~~	POINT OF SALE DEBIT SUNOCO 0080839800	TR DATE 05/20 SPARTANBURG SC 65889801
	05/23	~~28.00~~	POINT OF SALE DEBIT NESTORS SALON	TR DATE 05/21 SPARTANBURG SC 88110001
	05/23	~~26.15~~	POINT OF SALE DEBIT WICKORY POINT 32	TR DATE 05/21 SPARTANBURG SC LK340897
	05/23	~~74.84~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 05/22 SPARTANBURG SC 82846401

Withdrawals/Debits: 107

Balance Activity History	Date	Balance	Collected Balance	Date	Balance	Collected Balance
	04/23	3,184.18	3,184.18	05/09	2,894.75	2,894.75
	04/25	2,448.91	2,448.91	05/10	1,342.70	1,342.70
	04/26	97.14	97.14	05/11	1,300.48	1,300.48
	04/27	88.35	88.35	05/12	1,150.38	1,150.38
	04/28	81.50	81.50	05/13	2,850.36	2,850.36
	04/29	1,338.30	1,338.30	05/16	2,679.35	2,679.35
	05/02	1,278.08	1,278.08	05/17	294.48	294.48
	05/03	1,182.46	1,182.46	05/18	148.38	148.38
	05/04	1,133.15	1,133.15	05/19	89.17	89.17
	05/05	1,838.92	1,838.92	05/20	1,369.17	1,369.17
	05/08	1,272.09	1,272.09	05/23	324.06	324.06

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 1 of 6
63/B16/0175/0 /22
1000084916419
06/23/2011



June 2011

Account Statement



DONNA M GELOTTE OR
JOSEPH A GELOTTE DIP
CASE#08-07528
215 W KILLARNEY LK
MOORE SC 29369-9112

Questions? Please call
1-800-786-8787

THANK YOU FOR BANKING WITH SUNTRUST. TO LEARN MORE ABOUT HOW SUNTRUST CAN MEET
YOUR FINANCIAL SERVICES NEEDS, PLEASE VISIT OUR WEB SITE AT WWW.SUNTRUST.COM

Account Summary	Account Type	Account Number	Statement Period
	FREE CHECKING	1000094916419	05/24/2011 - 06/23/2011

Description	Amount	Description	Amount
Beginning Balance	\$924.06	Average Balance	\$1,215.33
Deposits/Credits	\$6,080.00	Average Collected Balance	\$1,057.91
Checks	\$1,026.67	Number of Days in Statement Period	31
Withdrawals/Debits	\$4,271.32		
Ending Balance	\$1,108.07		

Deposits/Credits	Date	Amount	Description
	05/26	350.00	DEPOSIT - <i>This check was adraw from Jerry for our sons college class. attached</i>
	05/31	1,500.00	DEPOSIT - <i>Jerry Davis</i>
	06/05	1,000.00	DEPOSIT - <i>Jerry Davis</i>
	06/10	1,800.00	DEPOSIT - <i>Last Day of work for Jerry Davis.</i>
	06/17	1,500.00	DEPOSIT - <i>This check was 1st check from 1st week at Guy Roofing. attached</i>
Deposits/Credits: 5		Total Items Deposited: 2	

Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	1105	36.88	05/27	1114	128.54	06/20	1105	128.54	06/16
	1110	208.88	06/01	1115	128.54	06/20	1106	3.50	06/16
	1111	124.48	06/01	1116	148.16	06/20			

Checks: 8 Break in check sequence

Withdrawals/Debits	Date Paid	Amount	Description
	05/24	17.97	CHECK CARD PURCHASE BURGER KING #7833 Q07
	05/24	48.89	CHECK CARD PURCHASE RITE AID STORE #115005
	05/24	48.89	CHECK CARD PURCHASE MCALISTERS DELI 1129
	05/24	70.76	POINT OF SALE DEBIT Wal-Mart Super Center
	05/25	4.02	POINT OF SALE DEBIT KANGAROO EXPRE
	05/25	8.05	POINT OF SALE DEBIT SUNOCO 0050938800
	05/25	10.58	POINT OF SALE DEBIT CIRCLE K 05387
	05/25	21.10	POINT OF SALE DEBIT CIRCLE K 08857
	05/26	4.16	CHECK CARD PURCHASE HARDEES 15017262
			TR DATE 06/20 SPARTANBURG SC
			TR DATE 05/22 SPARTANBURG SC
			TR DATE 05/21 SPARTANBURG SC
			TR DATE 05/24 SPARTANBURG SC 10350008
			TR DATE 05/25 GASTONIA NC PNTY897
			TR DATE 05/25 SPARTANBURG SC 65398801
			TR DATE 05/24 MOORE SC 205
			TR DATE 05/24 MOORE SC 205
			TR DATE 05/23 BLACKBURG SC

143408

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 2 of 6
63/814/0175/0 /2
1000084916419
06/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	05/28	~~12.84~~	CHECK CARD PURCHASE LITTLE CAESARS 0002	TR DATE 05/24 SPARTANBURG SC
	05/28	~~8.18~~	POINT OF SALE DEBIT ONE STOP SHOP	TR DATE 05/28 MOORE SC 00016410
	05/28	~~11.80~~	POINT OF SALE DEBIT BUNOCO 0080988800	TR DATE 05/25 SPARTANBURG SC 88398801
	05/27	~~88.88~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 05/27 SPARTANBURG SC 0108SC057
	05/27	~~8.47~~	CHECK CARD PURCHASE PIZZA HUT #014490	TR DATE 05/24 GASTONIA NC
	05/27	~~4.87~~	POINT OF SALE DEBIT KANGAROO EXPRE	TR DATE 05/27 GASTONIA NC PNTY387
	05/27	~~25.32~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/27 SPARTANBURG SC LK340837
	05/27	~~27.28~~	POINT OF SALE DEBIT FOOD LION #2870	TR DATE 05/28 SPARTANBURG SC 28267001
	05/31	~~16.00~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 05/30 SPARTANBURG SC G108SC057
	05/31	~~88.88~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 05/31 SPARTANBURG SC G108SC057
	05/31	~~4.32~~	CHECK CARD PURCHASE MCDONALD'S F27291	TR DATE 05/28 SIMPSONVILLE SC
	05/31	~~5.45~~	CHECK CARD PURCHASE SUBWAY 00047639	TR DATE 05/27 ROCK HILL SC
	05/31	~~8.54~~	CHECK CARD PURCHASE MILLENNIUM BP QPS	TR DATE 05/28 GREENVILLE SC
	05/31	~~8.78~~	CHECK CARD PURCHASE WENDYS 47	TR DATE 05/25 CHARLOTTE NC
	05/31	~~10.05~~	CHECK CARD PURCHASE ONE STOP SHOP	TR DATE 05/28 MOORE SC
	05/31	~~10.53~~	CHECK CARD PURCHASE MILLENNIUM BP QPS	TR DATE 05/27 GREENVILLE SC
	05/31	~~18.23~~	CHECK CARD PURCHASE HARDEES 18017346	TR DATE 05/28 SPARTANBURG SC
	05/31	~~22.00~~	CHECK CARD PURCHASE MIDWAY BBQ	TR DATE 05/28 BUFFALO SC
	05/31	~~25.88~~	CHECK CARD PURCHASE RICHBURG LIBERTY	TR DATE 05/28 RICHBURG SC
	05/31	~~4.24~~	POINT OF SALE DEBIT JCPENNEY STORE 1761	TR DATE 05/28 SPARTANBURG SC 00000092
	05/31	~~14.58~~	POINT OF SALE DEBIT EXXONMOBIL POS	TR DATE 05/31 BLACKSBURG SC 0001
	05/31	~~12.07~~	POINT OF SALE DEBIT HOT SPOT #8007	TR DATE 05/28 SPARTANBURG SC LK3445488
	05/31	~~12.88~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/29 SPARTANBURG SC LK340837
	05/31	~~14.84~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 05/29 SPARTANBURG SC LK340837
	05/31	~~18.18~~	POINT OF SALE DEBIT BPINX #244	TR DATE 05/29 SPARTANBURG SC 88478401
	05/31	~~18.00~~	POINT OF SALE DEBIT TOTAL WINE AND	TR DATE 05/29 GREENVILLE SC 88820988
	05/31	~~28.82~~	POINT OF SALE DEBIT PAULINE GEN STORE	TR DATE 05/28 PAULINE SC 83104301
	05/31	~~52.78~~	POINT OF SALE DEBIT Wal-Mart Super Center	TR DATE 05/30 SPARTANBURG SC 10950008
	05/31	~~58.48~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 05/30 SPARTANBURG SC LK687084
	05/31	~~88.23~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 05/28 SPARTANBURG SC 82848401
	06/01	~~8.78~~	CHECK CARD PURCHASE BURGER KING #7983 Q07	TR DATE 05/28 SPARTANBURG SC

143609

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 3 of 6
63/B14/0175/0 /22
1800084916419
06/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	08/01	7.84	POINT OF SALE DEBIT EXXONMOBIL POS	SPARTANB SC OLZO TR DATE 08/01
	08/01	10.34	POINT OF SALE DEBIT CRACKER BARREL	FORT MILL SC F8885807 TR DATE 08/01
	08/02	1.27	CHECK CARD PURCHASE BRUSTER REAL ICE CREAM	SPARTANBURG SC TR DATE 08/30
	08/02	18.11	CHECK CARD PURCHASE MCALISTERS DELI 1288	GASTONIA NC TR DATE 05/31
	08/02	23.87	CHECK CARD PURCHASE CAROLINA BBQ 2	SPARTANBURG SC TR DATE 05/30
	08/02	12.10	POINT OF SALE DEBIT CIRCLE K 08387	MOORE SC 288 TR DATE 08/01
	08/02	22.19	POINT OF SALE DEBIT SPINX #233	SPARTANBURG SC 83775001 TR DATE 08/02
	08/02	57.88	POINT OF SALE DEBIT WAL-MART #1281	SPARTANBURG SC 24128101 TR DATE 08/02
	08/03	18.87	CHECK CARD PURCHASE BURGER KING #7833 Q07	SPARTANBURG SC TR DATE 05/31
	08/08	52.00	POINT OF SALE DEBIT KANGAROO EXP #3294	DUNCAN SC 82817201 TR DATE 08/03
	08/08	52.14	ELECTRONIC/ACH DEBIT. PIEDMONT NAT GAS	CHECKPYMT 1108
	08/08	18.88	POINT OF SALE DEBIT SUNOCO 0050839800	SPARTANBURG SC 85999801 TR DATE 08/04
	08/08	85.00	POINT OF SALE DEBIT SUNOCO 0050939800	SPARTANBURG SC 85999801 TR DATE 08/03
	08/07	7.48	POINT OF SALE DEBIT HICKORY POINT 32	SPARTANBURG SC LK340887 TR DATE 08/07
	08/07	7.54	POINT OF SALE DEBIT 1000 SPINX140 BP	GREENVILLE SC 85500901 TR DATE 08/07
	08/07	8.82	POINT OF SALE DEBIT SPINX #191	SIMPSONVILLE SC 85951801 TR DATE 08/08
	08/08	9.89	POINT OF SALE DEBIT RED ROOSTER	COWPENS SC 001 TR DATE 08/08
	08/08	11.28	POINT OF SALE DEBIT REIDVILLE RD A	SPARTANBURG SC 42510002 TR DATE 08/08
	08/08	11.88	POINT OF SALE DEBIT HICKORY POINT 32	SPARTANBURG SC LK340837 TR DATE 08/07
	08/08	15.00	POINT OF SALE DEBIT SUNOCO 0050839800	SPARTANBURG SC 85999801 TR DATE 08/07
	08/08	88.27	POINT OF SALE DEBIT OFFICE DEPOT 0	SPARTANBURG SC 00000004 TR DATE 08/08
	08/09	7.88	ELECTRONIC/ACH DEBIT YMCA GTER SPARTA	8845850308 230091098
	08/09	7.88	ELECTRONIC/ACH DEBIT YMCA GTER SPARTA	8845850308 230092881
	08/09	10.08	POINT OF SALE DEBIT PAULINE GEN STORE	PAULINE SC 83104301 TR DATE 08/08
	08/09	14.17	POINT OF SALE DEBIT HICKORY POINT 32	SPARTANBURG SC LK340837 TR DATE 08/08
	08/09	23.78	POINT OF SALE DEBIT KANGAROO EXPRE	CAMPOBELLO SC PNTY343 TR DATE 08/08
	08/10	209.88	ELECTRONIC/ACH DEBIT VZ WIRELESS VE	E CHECK 3949885
	08/10	9.84	CHECK CARD PURCHASE BOJANGLES 241 01002419	GAFFNEY SC TR DATE 08/08
	08/10	4.88	CHECK CARD PURCHASE RICKY'S DRIVE IN WEST	SPARTANBURG SC TR DATE 08/07
	08/10	25.39	CHECK CARD PURCHASE LITTLE CAESARS 0002	SPARTANBURG SC TR DATE 08/08
	08/10	20.00	POINT OF SALE DEBIT HICKORY POINT 32	SPARTANBURG SC LK340837 TR DATE 08/10

143410

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 4 of 6
63/814/0175/0 /22
1000884916419
06/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	08/10	~~30.76~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 08/09 SPARTANBURG SC 00859529
	08/10	~~89.18~~	POINT OF SALE DEBIT BAMBO CLUB #8142	TR DATE 08/10 SPARTANBURG SC 24814201
	08/13	~~39.89~~	ELECTRONIC/ACH DEBIT COOPS HEALTH ABC CLUB FEES	683200383
	08/13	~~89.00~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 08/12 SPARTANBURG SC 01085C057
	08/13	~~1.68~~	POINT OF SALE DEBIT WIRELESS SERVI	TR DATE 08/11 RUTHERFORDTONN06160001
	08/13	~~3.49~~	POINT OF SALE DEBIT B-I-O 182	TR DATE 08/10 SPARTANBURG SC LK867084
	08/13	~~8.18~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 08/11 SPARTANBURG SC LK340837
	08/13	~~9.88~~	POINT OF SALE DEBIT FOOD LION #2870	TR DATE 08/11 SPARTANBURG SC 28867001
	08/13	~~14.84~~	POINT OF SALE DEBIT KANGAROO EXP 3	TR DATE 08/11 GAFFNEY SC 00018F34
	08/13	~~17.21~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 08/10 SPARTANBURG SC 65399801
	08/13	~~20.88~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 08/13 SPARTANBURG SC 65399801
	08/13	~~20.78~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 08/12 SPARTANBURG SC 00859529
	08/13	~~33.75~~	POINT OF SALE DEBIT CRACKER BARREL	TR DATE 08/12 DUNCAN SC F8893687
	08/13	~~52.44~~	POINT OF SALE DEBIT SHELL Service Station	TR DATE 08/13 LANDRUM SC 84120201
	08/14	~~24.48~~	CHECK CARD PURCHASE CLOCK OF SPARTANBURG	TR DATE 08/11 SPARTANBURG SC
	08/14	~~4.22~~	POINT OF SALE DEBIT CVS 03588	TR DATE 08/13 SPARTANBURG SC 21303588
	08/14	~~15.27~~	POINT OF SALE DEBIT HICKORY POINT 82	TR DATE 08/13 SPARTANBURG SC LK340837
	08/14	~~59.88~~	POINT OF SALE DEBIT SPINX #243	TR DATE 08/14 SPARTANBURG SC 67104901
	08/15	~~489.17~~	ELECTRONIC/ACH DEBIT SETF CONSUMER AB BILL PAY	751889381
	08/15	~~48.88~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 08/14 SPARTANBURG SC 01085C057
	08/15	~~9.45~~	CHECK CARD PURCHASE BURGER KING #12988 Q07	TR DATE 08/13 LANDRUM SC
	08/15	~~25.08~~	CHECK CARD PURCHASE HUNAN K RESTAURANT	TR DATE 08/13 SPARTANBURG SC
	08/15	~~8.78~~	POINT OF SALE DEBIT WILCO #288	TR DATE 08/16 FOREST CITY NC 00028805
	08/15	~~89.28~~	POINT OF SALE DEBIT KANGAROO 3438	TR DATE 08/14 GAFFNEY SC PNTY349
	08/15	~~59.88~~	POINT OF SALE DEBIT PILOT #0453	TR DATE 08/15 GAFFNEY SC 88029701
	08/16	~~27.89~~	ELECTRONIC/ACH DEBIT YMCA GTER SPARTA	8845850308 230848782
	08/16	~~47.88~~	ELECTRONIC/ACH DEBIT YMCA GTER SPARTA	8845850308 230889309
	08/16	~~202.78~~	ELECTRONIC/ACH DEBIT ALLSTATE IND CO	INS PYMT 000000980840497
	08/16	~~25.23~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 08/16 SPARTANBURG SC LK340837
	08/16	~~61.80~~	POINT OF SALE DEBIT CORNER STOP 118	TR DATE 08/16 CHESNEE SC 85280301
	08/17	~~4.88~~	CHECK CARD PURCHASE BURGER KING #7933 Q07	TR DATE 08/14 SPARTANBURG SC

143411

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 5 of 6
63/814/0175/0 /22
1900084916419
06/23/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	06/17	~~6.16~~	CHECK CARD PURCHASE SUBWAY 00172678	TR DATE 08/14 KINGS MTN NC
	06/17	~~6.47~~	CHECK CARD PURCHASE CHICK-FIL-A #00806	TR DATE 08/14 SPARTANBURG SC
	06/17	~~67.16~~	CHECK CARD PURCHASE PICCADILLY 00040808	TR DATE 08/16 SPARTANBURG SC
	08/17	~~14.09~~	POINT OF SALE DEBIT PALMS 228 - GREER	TR DATE 08/17 GREER SC 62894301
	08/17	~~16.88~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 08/18 SPARTANBURG SC 65399801
	08/20	~~216.45~~	ELECTRONIC/ACH DEBIT ATTY	Payment 460776001EVRY
	08/20	~~60.00~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 08/17 SPARTANBURG SC 61088C057
	08/20	~~4.07~~	CHECK CARD PURCHASE HARDEES 15016215	TR DATE 08/15 RUTHERFORDTON NC
	08/20	~~8.47~~	CHECK CARD PURCHASE PIZZA INN 141087	TR DATE 08/17 TRAVELERS RESSC
	08/20	~~10.88~~	CHECK CARD PURCHASE HOUSE OF ASIAN	TR DATE 08/16 FOREST CITY NC
	08/20	~~5.25~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 08/20 RUTHERFORDTON NC 00775910
	08/20	~~6.48~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 08/18 SPARTANBURG SC 00859529
	08/20	~~11.02~~	POINT OF SALE DEBIT WILCO #288	TR DATE 08/19 FOREST CITY NC 00028805
	08/20	~~14.89~~	POINT OF SALE DEBIT HARRIS TEETER	TR DATE 08/19 Shelby NC 00000194
	08/20	~~16.89~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 08/18 SPARTANBURG SC 65399801
	08/20	~~16.89~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 08/17 SPARTANBURG SC 00859529
	08/20	~~20.67~~	POINT OF SALE DEBIT FOOD LION #2841	TR DATE 08/18 ROEBUCK SC 28264101
	08/20	~~22.80~~	POINT OF SALE DEBIT FOOD LION #2870	TR DATE 08/19 SPARTANBURG SC 28267001
	08/20	~~28.23~~	POINT OF SALE DEBIT DEBS #8.	TR DATE 08/18 SPINDALE NC 83873801
	08/20	~~43.84~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 08/19 SPARTANBURG SC 65399801
	08/20	~~79.10~~	POINT OF SALE DEBIT LOWE'S #2895	TR DATE 08/18 SPARTANBURG SC 001
	08/20	~~105.98~~	POINT OF SALE DEBIT LOWE'S #2895	TR DATE 08/19 SPARTANBURG SC 001
	08/21	~~8.55~~	CHECK CARD PURCHASE ARBY'S	TR DATE 08/18 FOREST CITY NC
	08/21	~~44.11~~	CHECK CARD PURCHASE DENNY'S #7802	TR DATE 08/17 SPARTANBURG SC
	08/21	~~20.01~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 08/21 SPARTANBURG SC LC340837
	08/21	~~41.24~~	POINT OF SALE DEBIT QUICK PANTRY	TR DATE 08/21 COLUMBUS NC 87876101
	08/21	~~62.55~~	POINT OF SALE DEBIT EXXONMOBIL POS	TR DATE 08/20 RUTHERFO NC M3ED
	08/22	~~4.82~~	CHECK CARD PURCHASE MCDONALD'S F17788	TR DATE 08/20 FOREST CITY NC
	08/22	~~8.58~~	POINT OF SALE DEBIT SUNOCO 0050839800	TR DATE 08/21 SPARTANBURG SC 65399801
	08/22	~~8.74~~	POINT OF SALE DEBIT EXXONMOBIL POS	TR DATE 08/22 SHELBY NC M2R0
	08/22	~~16.43~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 08/21 SPARTANBURG SC 00859529

143412

Member FDIC

Continued on next page



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description			
	08/22	-50.01	POINT OF SALE DEBIT			TR DATE 08/22
			KANGAROO 3438	GAFFNEY	SC	PNTY343
	08/23	-10.00	CHECK CARD PURCHASE			TR DATE 08/21
			HOUSE OF ASIAN	FOREST CITY	NC	
	08/23	-59.40	POINT OF SALE DEBIT			TR DATE 08/23
			HOT SPOT #3005	CHESNEE	8C	LK214799

Withdrawals/Debits: 186

Balance	Date	Balance	Collected Balance	Date	Balance	Collected Balance
Activity History	05/24	172.61	172.61	06/09	1,081.71	1,081.71
	06/25	128.67	128.67	06/10	2,653.38	2,653.38
	06/26	488.01	88.01	06/13	2,359.87	2,359.87
	06/27	287.19	287.19	06/14	2,282.10	2,282.10
	06/31	1,045.81	1,045.81	06/15	1,480.23	1,480.23
	08/01	588.47	588.47	06/16	1,116.32	1,116.32
	08/02	451.45	451.45	06/17	2,628.69	1,028.69
	08/03	388.48	388.48	08/20	1,439.41	1,439.41
	08/08	1,282.48	1,282.48	08/21	1,274.95	1,274.95
	08/07	1,258.24	1,258.24	08/22	1,176.56	1,176.56
	08/08	1,145.14	1,145.14	08/23	1,108.07	1,108.07

To change your address, please call 1-800-SUNTRUST (1-800-786-8787). Business clients call 1-800-732-2316.

Complete this section to balance this statement to your transaction register.

Month _____ Year _____

Bank Balance Shown on statement \$ 1106.07

Add (+)
Deposits not shown on this
statement (if any).

Total (+) \$ 4866.01

Subtract (-)
Checks and other items outstanding but not paid on this statement (if any)

[illegible]

Total (-) \$ 200,000

Balance \$ 71032.38

These balances should agree

Your Transaction Register Balance \$ _____

Add (+) \$ _____
Other credits shown on
this statement but not
in transaction register. _____

Add (+) \$ _____

Interest paid (for use in balancing interest-bearing accounts only).

Total (+) \$ 10.00

Subtract (-) Other debits shown on this statement but not in transaction register.

Service Fee (if any)	\$
----------------------	----

DATE	DESCRIPTION	AMOUNT
1900		
1901		
1902		
1903		
1904		
1905		
1906		
1907		
1908		
1909		
1910		
1911		
1912		
1913		
1914		
1915		
1916		
1917		
1918		
1919		
1920		
1921		
1922		
1923		
1924		
1925		
1926		
1927		
1928		
1929		
1930		
1931		
1932		
1933		
1934		
1935		
1936		
1937		
1938		
1939		
1940		
1941		
1942		
1943		
1944		
1945		
1946		
1947		
1948		
1949		
1950		
1951		
1952		
1953		
1954		
1955		
1956		
1957		
1958		
1959		
1960		
1961		
1962		
1963		
1964		
1965		
1966		
1967		
1968		
1969		
1970		
1971		
1972		
1973		
1974		
1975		
1976		
1977		
1978		
1979		
1980		
1981		
1982		
1983		
1984		
1985		
1986		
1987		
1988		
1989		
1990		
1991		
1992		
1993		
1994		
1995		
1996		
1997		
1998		
1999		
2000		
2001		
2002		
2003		
2004		
2005		
2006		
2007		
2008		
2009		
2010		
2011		
2012		
2013		
2014		
2015		
2016		
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		
2038		
2039		
2040		
2041		
2042		
2043		
2044		
2045		
2046		
2047		
2048		
2049		

7-1-11

Total (-) \$

References

Balance \$ 4

In Case Of Errors Or Questions About Your Electronic Transfers: If you think your statement or receipt is wrong or if you need more information about an electronic transfer, please contact us at the telephone number or address on the statement within 60 days of the statement on which the problem first appeared. Please give us your name and account number, describe the transaction (date, place, amount), and explain your concern. We will investigate and correct any error promptly. For your convenience, we will provisionally credit your account for the amount in question if we take more than 10 business days for paper-to-paper transactions or foreign-initiated transfers, 5 business days for SunTrust Check Card Visa merchant transactions, or 20 business days for errors that occur within the first 30 days the account is open to complete our investigation.

143413

Member FDIC

10738

DAVE RACING & MAINTENANCE, LLC
PO BOX 38849
BOLING SPRING, SC 29949
803-602-7000

FIRST NATIONAL BANK OF THE SOUTH
3080 Bolling Springs Rd
Bolling Springs, SC 29929
803-602-6532

PAY TO THE ORDER OF Mr. Joe A. Gelotte \$ 300.00

Three Hundred Eight, 00/100 DOLLARS

Draw

Garry E. Davis

MEMO

1751

Draw for Michael's class.

Joe Gelotte

6/17/2011

15958

1,500.00



Week

Started 6/11/11

BB&T - Operating

Draw against Commission

1,500.00



Thank you for banking with SunTrust
For Account (information call 800.SunTrust (800.766.8787))



128 CHECK DEPOSIT
XXXXXXXXXX6419 Bus. Date 17Jun.2011 4k
218
22073807 164926 7 1,500.00 TOTAL
Transaction Date: 17Jun.2011 17:33:00

101820 (5/07)

This is your receipt showing bank, date, time, type of account and amount.
All deposits are credited to your account subject to verification and final payment.

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227



July 2011
✓

Page 1 of 7
63/814/0175/0 /22
1000084916419
07/25/2011

Account Statement

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

DONNA M GELOTTE OR
JOSEPH A GELOTTE DIP
CASE#08-07528
213 W KILLARNEY LK
MOORE SC 29369-9112

Questions? Please call
1-800-786-8787

AN AMENDED VERSION OF THE "RULES AND REGULATIONS FOR DEPOSIT ACCOUNTS," WHICH GOVERNS YOUR ACCOUNT, IS NOW AVAILABLE AND CAN BE OBTAINED AT ANY BRANCH OFFICE OR AT WWW.SUNTRUST.COM/RULESANDREGULATIONS. ALL FUTURE TRANSACTIONS ON YOUR ACCOUNT WILL BE GOVERNED BY THESE AMENDED RULES AND REGULATIONS.

Account Summary	Account Type	Account Number	Statement Period
	FREE CHECKING	1000084916419	06/24/2011 - 07/25/2011

Description	Amount	Description	Amount
Beginning Balance	\$1,108.07	Average Balance	\$1,372.88
Deposits/Credits	\$2,919.08	Average Collected Balance	\$659.29
Checks	\$3,481.71	Number of Days in Statement Period	32
Withdrawals/Debits	\$5,720.59		
Ending Balance	\$1,812.83		

Deposits/Credits	Date	Amount	Description
	06/24	1,400.00	DEPOSIT → 2nd check from employment @ Guy Roofing
	07/01	1,800.00	DEPOSIT → Last and only payment on balance from Jerry Davis - attached
	07/01	1,800.00	DEPOSIT → Guy Roofing pay
	07/07	300.00	DEPOSIT
	07/08	1,400.00	DEPOSIT
	07/16	1,800.00	DEPOSIT
	07/22	2,800.00	DEPOSIT
	07/25	500.00	DEPOSIT → Had to sell my mom's car to pay bills. (1,000)

Deposits/Credits: 8 Total Items Deposited: 4

Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	1100	50.00	07/19	1121	50.00	08/29	1127	140.15	07/19
	1110	70.00	07/08	1122	570.00	07/15	1128	172.00	07/20
	1118	50.00	06/24	1124	32.00	07/15	1129	0.00	07/21
	1119	851.00	08/30	1125	120.54	07/19			
	1120	1,889.95	07/01	1126	120.54	07/19			

Checks: 13 *Break in check sequence

Withdrawals/Debits	Date Paid	Amount	Description
	06/24	1.77	POINT OF SALE DEBIT AYERS & SON MA
	06/24	15.00	POINT OF SALE DEBIT SHELL Service Station
	06/24	15.23	POINT OF SALE DEBIT SUNOCO 0050938800
	06/24	19.49	POINT OF SALE DEBIT RITE AID CORP.
	06/24	22.21	POINT OF SALE DEBIT LOWE'S #2585
	06/24	28.00	POINT OF SALE DEBIT NESTORS SALON

TR DATE 06/24	LANDRUM SC 42510003
TR DATE 06/24	INMAN SC 40204201
TR DATE 06/24	SPARTANBURG SC 88398801
TR DATE 06/23	SPARTANBURG SC 00859529
TR DATE 06/24	SPARTANBURG SC 001
TR DATE 06/24	SPARTANBURG SC 58110001

185234

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 2 of 7
68/014/0175/0 /22
1000084916419
07/25/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
~~06/27~~	~~06/27~~	~~02.05~~	ELECTRONIC/ACH DEBIT	
	06/27	40.00	PIEDMONT NAT GAS	CHECKPYMT 1117
	06/27	2.52	ATM CASH WITHDRAWAL	TR DATE 06/27
	06/27	6.82	REIDVILLE ROAD	SPARTANBURG SC G1088C057
	06/27	20.00	CHECK CARD PURCHASE	TR DATE 06/23
	06/27	6.82	GRANNY'S SUB SHOPPE BA	SPINDALE NC
	06/27	20.00	CHECK CARD PURCHASE	TR DATE 06/22
	06/27	8.00	CHEN'S GARDEN	MORGANTON NC
	06/27	12.00	CHECK CARD PURCHASE	TR DATE 06/24
	06/27	8.00	PIZZA INN #14105800	SPARTANBURG SC
	06/27	12.00	POINT OF SALE DEBIT	TR DATE 06/26
	06/27	15.00	SHELL Service Station	SPARTANBURG SC 87857201
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/28
	06/27	15.00	HICKORY POINT 32	SPARTANBURG SC LK340837
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/29
	06/27	15.00	KANGAROO EXP #3294	DUNCAN SC 82817201
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/24
	06/27	15.00	KANGAROO EXP 3	SPARTANBURG SC 00018N02
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/24
	06/27	15.00	LOWE'S #2596	SPARTANBURG SC 001
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/26
	06/27	15.00	RACEWAY8749	GREENVILLE SC 93900902
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/25
	06/27	15.00	HICKORY POINT 32	SPARTANBURG SC LK340837
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/26
	06/27	15.00	HICKORY POINT 32	SPARTANBURG SC LK340837
	06/27	15.00	POINT OF SALE DEBIT	TR DATE 06/24
	06/27	15.00	WAL-MART #1038	SPARTANBURG SC 24103601
	06/28	15.00	CHECK CARD PURCHASE	TR DATE 06/25
	06/28	15.00	CAROLINA CAFE	SPINDALE NC
	06/28	15.00	CHECK CARD PURCHASE	TR DATE 06/25
	06/28	15.00	ZAXBY'S 10001 Q31	SPARTANBURG SC
	06/28	15.00	CHECK CARD PURCHASE	TR DATE 06/24
	06/28	15.00	SHELL OIL 57543945901	LANDRUM SC
	06/28	15.00	POINT OF SALE DEBIT	TR DATE 06/28
	06/28	15.00	CIRCLE K 05387	MOORE SC 206
	06/28	15.00	POINT OF SALE DEBIT	TR DATE 06/27
	06/28	15.00	HOT SPOT #3005	CHESNEE SC LK214799
	06/29	15.00	ATM CASH WITHDRAWAL	TR DATE 06/29
	06/29	15.00	REIDVILLE ROAD	SPARTANBURG SC G1088C057
	06/29	15.00	CHECK CARD PURCHASE	TR DATE 06/26
	06/29	15.00	FUJI RESTAURANT	SPARTANBURG SC
	06/29	15.00	CHECK CARD PURCHASE	TR DATE 06/26
	06/29	15.00	FIRESTONE 00045883	SPARTANBURG SC
	06/29	15.00	POINT OF SALE DEBIT	TR DATE 06/26
	06/29	15.00	BILO 182	SPARTANBURG SC LK887084
	06/29	15.00	POINT OF SALE DEBIT	TR DATE 06/29
	06/29	15.00	RITE AID CORP.	RUTHERFORDTONN00775910
	06/29	15.00	POINT OF SALE DEBIT	TR DATE 06/28
	06/29	15.00	SUNOCO 0050938800	SPARTANBURG SC 85399801
	06/29	15.00	POINT OF SALE DEBIT	TR DATE 06/28
	06/29	15.00	HOT SPOT #3005	CHESNEE SC LK214799
	06/30	15.00	POINT OF SALE DEBIT	TR DATE 06/29
	06/30	15.00	RITE AID CORP.	SPARTANBURG SC 00889529
	06/30	15.00	POINT OF SALE DEBIT	TR DATE 06/29
	06/30	15.00	HOT SPOT #3005	CHESNEE SC LK214799
	07/01	15.00	ELECTRONIC/ACH DEBIT	
	07/01	15.00	ALLSTATE P&C INS	INS PYMT 00000885057181
	07/01	15.00	CHECK CARD PURCHASE	TR DATE 06/29
	07/01	15.00	KEY LARGO #3	FOREST CITY NC
	07/01	15.00	CHECK CARD PURCHASE	TR DATE 06/29
	07/01	15.00	LITTLE CAESARS 0002	SPARTANBURG SC

185235

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 3 of 7
63/814/8175/0 /22
1000084916419
07/25/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	07/01	~~9.15~~	POINT OF SALE DEBIT SUNOCO 0949528200	TR DATE 08/30 RUTHERFORD NC 85282801
	07/01	~~15.02~~	POINT OF SALE DEBIT SUNOCO 0050838800	TR DATE 08/30 SPARTANBURG SC 85389801
	07/01	~~20.01~~	POINT OF SALE DEBIT KANGAROO 3438	TR DATE 07/01 GAFFNEY SC PNTY349
	07/01	~~21.15~~	POINT OF SALE DEBIT PLAY IT AGAIN	TR DATE 08/30 SPARTANBURG SC 80580789
	07/01	~~27.73~~	POINT OF SALE DEBIT CRACKER BARREL	TR DATE 08/30 GAFFNEY SC 88535601
	07/01	~~28.00~~	POINT OF SALE DEBIT KANGAROO EXP #3738	TR DATE 07/01 SPARTANBURG SC 82817001
	07/05	~~28.00~~	STOP PAYMENT FEE	TR DATE 07/02 SPARTANBURG SC 81088C057
	07/05	~~80.00~~	ATM CASH WITHDRAWAL REIDVILLE ROAD	TR DATE 07/02 GOOGLE.COM/CHCA
	07/05	~~0.00~~	CHECK CARD PURCHASE GOOGLE TASTE MEDIA	TR DATE 07/08 SPARTANBURG SC
	07/05	~~8.48~~	CHECK CARD PURCHASE TNT FIREWORKS FSC0204	TR DATE 06/30 FOREST CITY NC
	07/05	~~10.08~~	CHECK CARD PURCHASE HOUSE OF ASIAN	TR DATE 07/01 SPARTANBURG SC
	07/05	~~58.34~~	CHECK CARD PURCHASE MCALISTERS DELI 1129	TR DATE 08/28 SPARTANBURG SC
	07/05	~~48.32~~	CHECK CARD PURCHASE IHOP #4448	TR DATE 07/04 BOILING SPRING SC 82533802
	07/05	~~8.72~~	POINT OF SALE DEBIT RACEWAY 8784	TR DATE 07/01 GAFFNEY SC 88029701
	07/05	~~8.47~~	POINT OF SALE DEBIT PILOT #0453	TR DATE 07/03 DUNCAN SC W1244727
	07/05	~~8.23~~	POINT OF SALE DEBIT WALGREENS	TR DATE 07/02 MOORE SC 205
	07/05	~~11.53~~	POINT OF SALE DEBIT CIRCLE K 05887	TR DATE 07/04 SPARTANBURG SC 85889801
	07/05	~~18.50~~	POINT OF SALE DEBIT SUNOCO 0050838800	TR DATE 07/03 SPARTANBURG SC 00241266
	07/05	~~14.61~~	POINT OF SALE DEBIT ACADEMY LTD	TR DATE 07/03 SPARTANBURG SC W0764827
	07/05	~~15.95~~	POINT OF SALE DEBIT WALGREENS	TR DATE 07/03 SPARTANBURG SC 81420002
	07/05	~~21.48~~	POINT OF SALE DEBIT SAM'S Club	TR DATE 07/03 SPARTANBURG SC 24814201
	07/05	~~22.87~~	POINT OF SALE DEBIT SAMS CLUB #8142	TR DATE 07/02 SPARTANBURG SC 85389801
	07/05	~~38.31~~	POINT OF SALE DEBIT SUNOCO 0050838800	TR DATE 07/02 CHESNEE SC LK214799
	07/05	~~48.02~~	POINT OF SALE DEBIT HOT SPOT #3005	TR DATE 07/04 CHESNEE SC LK214799
	07/05	~~45.83~~	POINT OF SALE DEBIT HOT SPOT #3005	TR DATE 07/05 CHESNEE SC LK214799
	07/05	~~48.80~~	POINT OF SALE DEBIT HOT SPOT #3005	TR DATE 07/03 SPARTANBURG SC 62848401
	07/05	~~34.86~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 07/03 SPARTANBURG SC 10350007
	07/05	~~287.83~~	POINT OF SALE DEBIT Wal-Mart Super Center	TR DATE 07/08 SPARTANBURG SC 85389801
	07/06	~~10.15~~	POINT OF SALE DEBIT SUNOCO 0050838800	TR DATE 07/08 CHESNEE SC LK214799
	07/06	~~35.88~~	POINT OF SALE DEBIT HOT SPOT #3005	TR DATE 07/07 FOREST CITY NC 90162101
	07/07	~~8.58~~	POINT OF SALE DEBIT SHELL Service Station	TR DATE 07/07 SPARTANBURG SC LK340837
	07/07	~~42.22~~	POINT OF SALE DEBIT HICKORY POINT 32	

Member FDIC

Continued on next page

185236

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 4 of 7
63/814/0175/0 /22
1000084916419
07/25/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	07/07	~~48.86~~	POINT OF SALE DEBIT INGLES GAS EXP #205	TR DATE 07/07 LANDRUM SC 11448001
	07/08	~~45.59~~	POINT OF SALE DEBIT SUNOCO 0050998800	TR DATE 07/07 SPARTANBURG SC 85399801
	07/11	~~9.99~~	CHECK CARD PURCHASE SUPER CHINA BUFFET	TR DATE 07/07 FOREST CITY NC
	07/11	~~10.88~~	CHECK CARD PURCHASE HOUSE OF ASIAN	TR DATE 07/08 FOREST CITY NC
	07/11	~~3.21~~	POINT OF SALE DEBIT LOWE'S #2388	TR DATE 07/10 GAFFNEY SC 001
	07/11	~~8.07~~	POINT OF SALE DEBIT KANGAROO EXP #880	TR DATE 07/08 CHARLESTON SC 83356701
	07/11	~~8.59~~	POINT OF SALE DEBIT SUNOCO 0050998800	TR DATE 07/10 SPARTANBURG SC 85399801
	07/11	~~12.88~~	POINT OF SALE DEBIT HOT SPOT #3005	TR DATE 07/08 CHESNEE SC LK214799
	07/11	~~18.88~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 07/11 SPARTANBURG SC LK340837
	07/11	~~20.21~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 07/08 SPARTANBURG SC 00859829
	07/11	~~29.45~~	POINT OF SALE DEBIT HARRIS TEETER	TR DATE 07/09 Charleston SC 00000385
	07/11	~~35.82~~	POINT OF SALE DEBIT KANGAROO EXP #880	TR DATE 07/08 CHARLESTON SC 83356701
	07/11	~~32.54~~	POINT OF SALE DEBIT KANGAROO EXP #880	TR DATE 07/11 CHARLESTON SC 83356701
	07/11	~~36.22~~	POINT OF SALE DEBIT INGLES MARKET #53	TR DATE 07/09 DUNCAN SC 82842301
	07/11	~~48.88~~	POINT OF SALE DEBIT KMAR 3080	TR DATE 07/08 CHARLESTON SC 07886910
	07/11	~~48.85~~	POINT OF SALE DEBIT SUNOCO 0050998800	TR DATE 07/10 SPARTANBURG SC 85399801
	07/11	~~49.56~~	POINT OF SALE DEBIT HOT SPOT 2018	TR DATE 07/11 SPARTANBURG SC LK214849
	07/11	~~54.07~~	POINT OF SALE DEBIT SUNOCO 0050998800	TR DATE 07/09 SPARTANBURG SC 85399801
	07/12	~~20.88~~	ELECTRONICACH DEBIT COOPS HEALTH ABC CLUB FEES	828200383
	07/12	~~2.27~~	CHECK CARD PURCHASE MCDONALD'S M4998 OF	TR DATE 07/09 FORT MILL SC
	07/12	~~47.28~~	POINT OF SALE DEBIT HOT SPOT #3005	TR DATE 07/12 CHESNEE SC LK214799
	07/12	~~53.28~~	POINT OF SALE DEBIT INGLES MARKET #204	TR DATE 07/12 SPARTANBURG SC 62848401
	07/13	~~2.54~~	POINT OF SALE DEBIT EXXONMOBIL POS	TR DATE 07/12 RUTHERFO NC M3E0
	07/13	~~7.08~~	POINT OF SALE DEBIT PANTRY 385	TR DATE 07/13 SHELBY NC 00017G24
	07/14	~~283.66~~	ELECTRONICACH DEBIT VZ WIRELESS VE E CHECK	8135984
	07/14	~~68.82~~	CHECK CARD PURCHASE HYMAN S SEAFOOD CO. IN	TR DATE 07/11 CHARLESTON SC
	07/14	~~435.84~~	CHECK CARD PURCHASE HOLIDAY INNS	TR DATE 07/12 CHARLESTON SC
	07/14	~~48.78~~	POINT OF SALE DEBIT KANGAROO EXP #3735	TR DATE 07/14 SPARTANBURG SC 82817001
	07/15	~~7.88~~	CHECK CARD PURCHASE LONG JOHN SILVERS #807	TR DATE 07/09 FOREST CITY NC
	07/15	~~8.39~~	CHECK CARD PURCHASE PIZZA INN	TR DATE 07/12 SHELBY NC
	07/15	~~12.24~~	POINT OF SALE DEBIT WALGREENS	TR DATE 07/13 SPARTANBURG SC W0784827

185237

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 5 of 7
65/814/0175/0 /22
1000884916419
07/25/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	07/16	~~26.01~~	POINT OF SALE DEBIT	TR DATE 07/16
			SUNOCO 0080939800	SPARTANBURG SC 65399801
	07/18	~~25.00~~	ELECTRONIC/ACH DEBIT	
			COOPS HEALTHCARE CLUB FEES	623200363
	07/18	~~27.00~~	ELECTRONIC/ACH DEBIT	
			YMCA GTER SPARTA	8845850308 233835840
	07/18	~~27.00~~	ELECTRONIC/ACH DEBIT	
			YMCA GTER SPARTA	8845850308 233660589
	07/18	~~14.21~~	CHECK CARD PURCHASE	TR DATE 07/16
			HOUSE OF ASIAN	FOREST CITY NC
	07/18	~~4.30~~	POINT OF SALE DEBIT	TR DATE 07/17
			P W FUEL #379	GREENWOOD SC LK744324
	07/18	~~8.05~~	POINT OF SALE DEBIT	TR DATE 07/16
			EXXONMOBIL POS	RUTHERFO NC M3E0
	07/18	~~8.16~~	POINT OF SALE DEBIT	TR DATE 07/15
			HICKORY POINT 32	SPARTANBURG SC LK340837
	07/18	~~12.52~~	POINT OF SALE DEBIT	TR DATE 07/16
			SUNOCO 0080939800	SPARTANBURG SC 65399801
	07/18	~~15.00~~	POINT OF SALE DEBIT	TR DATE 07/17
			R W FUEL #379	GREENWOOD SC LK744324
	07/18	~~17.78~~	POINT OF SALE DEBIT	TR DATE 07/18
			INGLES MARKET #204	SPARTANBURG SC 62848401
	07/18	~~20.87~~	POINT OF SALE DEBIT	TR DATE 07/16
			HICKORY POINT 32	SPARTANBURG SC LK340837
	07/18	~~20.19~~	POINT OF SALE DEBIT	TR DATE 07/16
			RITE AID CORP.	SPARTANBURG SC 00859529
	07/18	~~89.89~~	POINT OF SALE DEBIT	TR DATE 07/18
			SUNOCO 0080939800	SPARTANBURG SC 65399801
	07/18	~~89.89~~	POINT OF SALE DEBIT	TR DATE 07/16
			KANGAROO EXPRE	CAMPOBELLO SC PNTY343
	07/19	~~42.00~~	CHECK CARD PURCHASE	TR DATE 07/18
			APOLLOS HOUSE OF PIZZA	SPARTANBURG SC
	07/19	~~8.87~~	POINT OF SALE DEBIT	TR DATE 07/18
			RITE AID CORP.	SPARTANBURG SC 00859529
	07/19	~~12.01~~	POINT OF SALE DEBIT	TR DATE 07/18
			KANGAROO EXP #3294	DUNCAN SC 82817201
	07/19	~~15.00~~	POINT OF SALE DEBIT	TR DATE 07/19
			SUNOCO 0080939800	SPARTANBURG SC 65399801
	07/19	~~82.35~~	POINT OF SALE DEBIT	TR DATE 07/19
			SPINX #243	SPARTANBURG SC 67104801
	07/20	~~9.87~~	CHECK CARD PURCHASE	TR DATE 07/18
			RYANS #2420 Q8	FOREST CITY NC
	07/20	~~5.89~~	POINT OF SALE DEBIT	TR DATE 07/20
			SHELL Service Station	SPARTANBURG SC 80818401
	07/20	~~5.55~~	POINT OF SALE DEBIT	TR DATE 07/20
			SUNOCO 0080939800	SPARTANBURG SC 65399801
	07/20	~~6.89~~	POINT OF SALE DEBIT	TR DATE 07/19
			EXXONMOBIL POS	RUTHERFO NC M3E0
	07/20	~~52.51~~	POINT OF SALE DEBIT	TR DATE 07/20
			SUNOCO 0080939800	SPARTANBURG SC 65399801
	07/20	~~186.70~~	POINT OF SALE DEBIT	TR DATE 07/19
			WAL-MART #1085	SPARTANBURG SC 24108501
	07/21	~~36.99~~	NSF PAID ITEMS PENALTY	
	07/21	~~222.19~~	ELECTRONIC/ACH DEBIT	
			ATT	Payment 526857001CSH1F
	07/21	~~4.88~~	CHECK CARD PURCHASE	TR DATE 07/19
			MCDONALD'S F17788	FOREST CITY NC
	07/21	~~8.28~~	CHECK CARD PURCHASE	TR DATE 07/18
			SIX POINTS STORE	MOORESBORO NC
	07/21	~~8.17~~	POINT OF SALE DEBIT	TR DATE 07/21
			HOT SPOT #3008	CHESNEE SC LK214798
	07/21	~~48.69~~	POINT OF SALE DEBIT	TR DATE 07/20
			LYMAN CITGO	LYMAN SC 0088MK01

185238

Member FDIC

Continued on next page

SUNTRUST BANK
P O BOX 622227
ORLANDO FL 32862-2227

Page 6 of 7
63/814/0175/0 /22
1000084916419
07/25/2011



Account Statement

Withdrawals/ Debits	Date Paid	Amount	Description	
	07/22	~~7.86~~	CHECK CARD PURCHASE CHICK-FIL-A #00805	TR DATE 07/19 SPARTANBURG SC
	07/22	~~6.66~~	POINT OF SALE DEBIT WILCO #268	TR DATE 07/22 FOREST CITY NC 00026805
	07/22	~~8.66~~	POINT OF SALE DEBIT SPINX #185	TR DATE 07/22 LANDRUM SC 61282801
	07/22	~~48.00~~	POINT OF SALE DEBIT SUNOCO 0050899800	TR DATE 07/22 SPARTANBURG SC 65399801
	07/25	~~101.39~~	ELECTRONIC/ACH DEBIT ALLSTATE IND CO	INS PYMT. 000000980940497
	07/25	~~499.17~~	ELECTRONIC/ACH DEBIT SETF CONSUMER AB	BILL PAY 7850217891
	07/25	~~4.85~~	CHECK CARD PURCHASE HARDEES 18016080	TR DATE 07/20 FOREST CITY NC
	07/25	~~48.66~~	CHECK CARD PURCHASE MCDONALD'S F12341	TR DATE 07/22 SPARTANBURG SC
	07/25	~~15.66~~	CHECK CARD PURCHASE EXXONMOBIL 42234891	TR DATE 07/21 SPARTANBURG SC
	07/28	~~2.28~~	POINT OF SALE DEBIT SPINX #188	TR DATE 07/25 GREER SC 61282301
	07/25	~~7.44~~	POINT OF SALE DEBIT EAST KWIK STOP	TR DATE 07/23 BOSTIC NC 003
	07/25	~~7.94~~	POINT OF SALE DEBIT HICKORY POINT 32	TR DATE 07/24 SPARTANBURG SC LK340897
	07/25	~~7.58~~	POINT OF SALE DEBIT BI-LO 182	TR DATE 07/22 SPARTANBURG SC LK687084
	07/25	~~7.94~~	POINT OF SALE DEBIT WALGREENS	TR DATE 07/22 SPARTANBURG SC W0784827
	07/25	~~15.66~~	POINT OF SALE DEBIT SUNOCO 0060939800	TR DATE 07/22 SPARTANBURG SC 65399801
	07/25	~~48.66~~	POINT OF SALE DEBIT RITE AID CORP.	TR DATE 07/23 SPARTANBURG SC 00859529
	07/25	~~40.16~~	POINT OF SALE DEBIT KANGAROO EXPRE	TR DATE 07/23 CAMPOBELLO SC PNTY348
	07/25	~~58.66~~	POINT OF SALE DEBIT EXXONMOBIL POS	TR DATE 07/25 SPARTANB SC OL28

Withdrawals/Debits: 180

	Total for this period	Total for year-to-date
Total Overdraft Fees	\$36.00	\$36.00
Total Returned Item Fees	\$0.00	\$0.00

Year-to-date amounts may include refunds of fees charged in current or prior calendar year(s).

Balance Activity History	Date	Balance	Collected Balance	Date	Balance	Collected Balance
	08/24	2,357.49	957.43	07/12	1,408.53	1,408.53
	08/27	1,865.59	1,865.59	07/13	1,398.90	1,398.90
	08/28	1,741.08	1,741.08	07/14	844.22	844.22
	08/29	1,513.57	1,513.57	07/15	1,595.88	725.88
	08/30	802.25	802.25	07/16	1,240.89	1,240.89
	07/01	1,247.30	132.70	07/19	843.33	843.33
	07/05	449.33	449.33	07/20	191.92	191.92
	07/06	334.18	334.18	07/21	130.75	130.75
	07/07	540.68	540.68	07/22	1,803.46	1,803.46
	07/08	1,925.07	625.07	07/25	1,812.83	1,812.83
	07/11	1,931.54	1,931.54			

185239

Member FDIC

Continued on next page

DAVIS ROOFING & MAINTENANCE, LLC
 141 Johnson Ct
 Tampa, FL 33646
 Phone: 813-283-4600

SUNTRUST
 SunTrust Bank
 SunTrust Building
 1000 Peachtree Street, N.E.
 Atlanta, GA 30309

PAY TO THE ORDER OF *Mr. Joe Helott*
on Johnson & Co. Inc. **\$ 100.00**
Draw on Balance **100.00**
MEMO *J. E. Davis*



Thank you for banking with SunTrust
 For Account Information call 800.SunTrust (800.786.8787)

*Last & only print to Joe
 after stop working
 there*

110 CASH REPORT
 XXXXXXXX6419 Bus. Date 1Jul.2011 AM
 72 1,000.00 CASH
 22073821 164678 4 1,000.00 TOTAL
 Transaction Date: 1Jul.2011 09124123

This is your receipt showing bank, date, time, type of account and amount.
 All deposits are credited to your account subject to verification and final payment.

101828 (6/07)

Tax and Credits	38	Amount from line 37 (adjusted gross income)	38	37,615
	39a	Check ☐ You were born before January 2, 1947. ☐ Blind. Total boxes		
		If ☐ Spouse was born before January 2, 1947. ☐ Blind. checked ☒ 39a		
Standard Deduction for -	40	If your spouse (or partner) on a separate return or you were a dual-status alien, check here	40	20,990
People who check any box on line 40a or 40b or who can be claimed as a dependent, see instructions.	41	Itemized deductions (from Schedule A) or your standard deduction (see left margin)	41	16,625
At other:	42	Subtract line 40 from line 38	42	18,500
Single or married filing separately, \$5,800	43	Exemptions. Multiply \$3,700 by the number on line 6d	43	0
Married filing jointly or qualifying widow(er), \$11,600	44	Taxable income. Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-	44	0
Head of household, \$6,800	45	Tax (see instructions). Check if any from: ☐ Form(s) 9914 ☐ Form 4972 ☐ 992 election	45	
	46	Alternative minimum tax (see instructions). Attach Form 6251	46	
	47	Add lines 44 and 45	47	
	48	Foreign tax credit. Attach Form 1116 if required	48	
	49	Credit for child and dependent care expenses. Attach Form 2441	49	
	50	Education credits from Form 8863, line 23	50	
	51	Retirement savings contributions credit. Attach Form 8880	51	
	52	Child tax credit (see instructions)	52	
	53	Residential energy credits. Attach Form 5695	53	
	54	Other credits from Forms ☐ 8809 ☐ 8801 ☐ 8804	54	
	55	Add lines 47 through 53. These are your total credits	55	0
	56	Subtract line 54 from line 46. If line 54 is more than line 46, enter -0-	56	6,005
Other Taxes	57	Self-employment tax. Attach Schedule SE	57	
	58	Unreported social security and Medicare tax from Form: ☐ 4137 ☐ 8919	58	
	59	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required	59a	
	59b	Household employment taxes from Schedule H	59b	
	60	First-time homebuyer credit repayment. Attach Form 5405 if required	60	
	61	Other taxes. Enter code(s) from instructions	61	6,005
Payments	62	Add lines 55 through 60. This is your total tax	62	
	63	Federal income tax withheld from Forms W-2 and 1099	63	
	64a	2011 estimated tax payments and amount applied from 2010 return	64a	769
If you have a qualifying child, attach Schedule EIC.	64b	Earned income credit (EIC)	64b	
	65	Nonrefundable credit pay election	65	2,000
	66	Additional child tax credit. Attach Form 8812	66	
	67	American opportunity credit from Form 8863, line 14	67	
	68	First-time homebuyer credit from Form 5405, line 10	68	
	69	Amount paid with request for extension to file	69	
	70	Excess social security and tier 1 RRTA tax withheld	70	
	71	Credit for federal tax on fuels. Attach Form 4138	71	
	72	Credits from Form: ☐ 2489 ☐ 8889 ☐ 8801 ☐ 8885	72	2,769
	73	Add lines 62, 63, 64a, and 65 through 71. These are your total payments	73	
Refund	74a	If line 72 is more than line 61, subtract line 61 from line 72. This is the amount you overpaid	74a	
	74b	Amount of line 73 you want refunded to you. If Form 8878 is attached, check here ☐	74b	
Direct deposit? See instructions.	75	Routing number	75	
	76	Account number	76	
	77	Amount of line 74b you want applied to your 2012 estimated tax	77	
	78	Amount you owe. Subtract line 72 from line 61. For details on how to pay, see instructions	78	3,300
Amount You Owe	79	Estimated tax penalty (see instructions)	79	
	80	Do you want to allow another person to discuss this return with the IRS (see instructions)? ☒ Yes. Complete below. ☐ No	80	
Third Party Designee	81	Designee's name PAMELA SMITH	81	
	82	Phone no. 864-542-9754	82	
	83	Personal identification number (PIN) 08285	83	
Sign Here	84	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.	84	
Joint return? See instructions.	85	Your signature [Signature]	85	
Keep a copy for your records.	86	Date 03-19-2012	86	
	87	Your occupation [Occupation]	87	
	88	Daytime phone number 864-590-0199	88	
	89	Spouse's signature, if a joint return, both must sign. [Signature]	89	
	90	Date 03-19-2012	90	
	91	Spouse's occupation [Occupation]	91	
	92	Identify Protection PIN (see inst.) [PIN]	92	
	93	Preparer's signature [Signature]	93	
	94	Date 04-10-2012	94	
	95	Check ☐ if FTIN P00008285	95	
Paid Preparer Use Only	96	Print/type preparer's name PAMELA SMITH	96	
	97	Firm's name Smith Accounting LLC	97	
	98	Firm's address 131 Hall Street	98	
	99	Firm's EIN 26-4670941	99	
	100	Phone no. 864-542-9754	100	

Δ Exhibit
2

PAY TO THE ORDER OF

Three Hundred Eighty Dollars

DRAWN

Jerry E. Davis

FIRST NATIONAL BANK OF CHICAGO

CHICAGO, ILL.

DATE

MEMO

SUNTRUST Bank of Georgia

PAY TO THE ORDER OF Mr. Joe G. Holtz 1000

One Thousand & 00/100 DOLLARS

Draw on Balance Blessed Day J.E. Davis

MEMO



Thank you for banking with SunTrust
For Account Information call 800.SunTrust (800.788.8787)

110 CASH DEPOSIT
 [Redacted Box]
 Date: 1 Jul 2011 AM
 1,000.00 CASH
 1,000.00 TOTAL
 Transaction Date: 1 Jul 2011 09:24:23

This is not a receipt showing bank date, time, type of account and amount.



Item Detail

Check 1 of 1				Status: Paid ✓		
TranDate	account	amount	serial	tranCode	aba	sequence
04/28/2011	0000000000026776	\$7,500.00	000000010662	000051	087011760	1000008950

10582

DAVIDS FLOORING & MAINTENANCE, L.L.C.
141 Johnson Ct
Jensen, SD 58046
605-232-7600

FIRST NATIONAL BANK OF THE SOUTH
200 South Main Street
Bismarck, ND 58101
701-222-0001

4-22-11

PAY TO THE ORDER OF Mr. Joseph G. Gorbette \$ 7500.00

Seventy Five Hundred & 00/100 DOLLARS

Supply Silliman, Inc. Sub Contractor

MEMO

1238564498

CO-INITIALS SIGNATURE REQUIRED EXCEPT: ALLIANCE, JPMORGAN CHASE, CITIBANK, WELLS FARGO, PNC, US BANK, CREDIT UNION, AND OTHER CREDIT INSTITUTIONS.

8208 1020 8208 1020 8208 1020 8208 1020



Item Detail

Check 1 of 1				Status: Paid		
Item Date	Account	Amount	Serial	Tran Code	aba	Sequence
05/19/2011	0000000000025775	\$6,300.00	000000010574	000081	087011780	1000008803

10574

David Roofing & Maintenance, LLC.
146 Johnson Ct
Spartanburg, SC 29340
803-537-0300

First National Bank of the South
1000 Bankers Building
Spartanburg, SC 29310
803-537-0300

5-13-11

PAY TO THE ORDER OF Joe Hepler \$ 6300.00

Sixty Thousand Three Hundred & No/100 DOLLARS

Pat Dow [Signature]

MEMO

1239949210

70C 3868

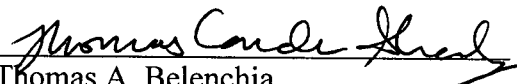
008183781

4/23/2014

Certificate of Counsel

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

March 20, 2015


Thomas A. Belenchia
T. Camden Shealy
A BUSINESS LAW FIRM, LLC
Post Office Box 3421
Spartanburg, South Carolina 29304
(864) 699-9801
Attorneys for Appellants