

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**  
MAY 28 2019  
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2018-CP-10-0846  
Case No. 2018-CP-10-2131  
Case No. 2018-CP-10-2539

City of Charleston, Appellant,  
v.  
City of North Charleston and Millbrook Plantation LLC, Respondents.

NOTICE OF APPEAL

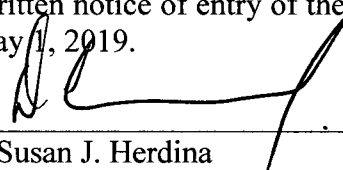
Appellant City of Charleston (the "City") appeals the orders of the Honorable Eugene C. Griffith, Jr., filed on March 1, 2019, March 5, 2019, and May 1, 2019, in the above-referenced cases, which were consolidated for all purposes by order filed on December 19, 2018.

On March 4, 2019, the City received written notice of entry of the order filed on March 1, 2019 (the "Original Order"). The same order was re-filed on March 5, 2019 (the "Re-Filed Order"). On March 6, 2019, the City received written notice of entry of the Re-Filed Order.

On March 14, 2019, the City timely served a notice of motion and motion to reconsider, alter, or amend (the "Motion to Reconsider") the Original Order and the Re-Filed order. Also on March 14, 2019, the City filed the Motion to Reconsider and served a copy on the Honorable Eugene C. Griffith, Jr.

On May 2, 2019, the City received written notice of entry of the order denying the City's Motion to Reconsider, which was filed on May 1, 2019.

May 24, 2019

  
\_\_\_\_\_  
Susan J. Herdina  
S.C. Bar No. 13165

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City of Charleston  
50 Broad Street  
Charleston, South Carolina 29401  
Telephone: (843) 724-3730

Attorneys for Appellant City of Charleston

Other Counsel of Record:

J. Brady Hair, Esquire  
Derk Van Raalte  
Legal Department  
2500 City Hall Lane  
North Charleston, SC 29406  
Attorneys for Respondent City of North Charleston

Bruce E. Miller, Esquire  
Bruce E. Miller, P.A.  
147 Wappoo Creek Drive, Suite 603  
Charleston, SC 29412  
Attorney for Respondent Millbrook Plantation LLC

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City of Charleston,

Appellant,

v.

City of North Charleston and Millbrook Plantation LLC,

Respondents.

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PROOF OF SERVICE

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I certify that I have served the Notice of Appeal on Respondent City of North Charleston, by depositing a copy of it in the United States Mail, postage prepaid, on May 24, 2019, addressed to its attorneys of record, as follows:

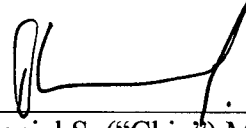
J. Brady Hair, Esquire  
Derk Van Raalte  
Legal Department  
2500 City Hall Lane  
North Charleston, SC 29406

I also certify that I have served the Notice of Appeal on Respondent Millbrook Plantation LLC by depositing a copy of it in the United States mail, postage prepaid, on May 24, 2019, addressed to its attorneys of record, as follows:

Bruce E. Miller, Esquire  
Bruce E. Miller, P.A.  
147 Wappoo Creek Drive, Suite 603  
Charleston, SC 29412

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SC Court of Appeals

May 24, 2019



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Daniel S. ("Chip") McQueeney, Jr.  
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City of Charleston  
50 Broad Street  
Charleston, South Carolina 29401  
E-mail: mcqueeneyd@charleston-sc.gov  
(843) 724-3730  
Attorney for Appellant City of Charleston



May 24, 2019

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MAY 28 2019

SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

*City of Charleston*

**WILLIAM B. REGAN LEGAL CENTER**

50 Broad Street  
Charleston, SC 29401  
tel 843-724-3730  
fax 843-724-3706

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herdinas@charleston-sc.gov

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Stirling Halversen  
halversens@charleston-sc.gov

**OF COUNSEL**

Frances I. Cantwell  
cantwellf@charleston-sc.gov

RE: City of Charleston v. City of North Charleston and Millbrook Plantation LLC, Case No. 2018-CP-10-0846;  
Millbrook Plantation, LLC v. City of Charleston, Case No. 2018-CP-10-2131;  
City of Charleston v. City of North Charleston and Millbrook Plantation LLC, Case No. 2018-CP-10-2539

Dear Ms. Kitchings:

Please be advised that I represent Appellant City of Charleston ("Appellant") in the above-referenced cases, which were consolidated for all purposes by order filed on December 19, 2018.

Enclosed for filing, please find the following:

- (1) An original and one (1) copy of Appellant's notice of appeal;
- (2) An original and one (1) copy of Appellant's proof of service of the notice of appeal on the other parties to this appeal;
- (3) Copies of the orders being challenged on appeal; and
- (4) The filing fee of \$250.00.

Please note that the notice of appeal is also being filed with the Clerk of Court for Charleston County today.

I would appreciate your filing these and returning a clocked copy in the enclosed, self-addressed, stamped envelope. Thank you for your courtesies in accomplishing this filing.

With kindest regards, I am,

Very Truly Yours,

Daniel S. ("Chip") McQueeney, Jr.

S.C. Bar No. 06802  
50 Broad Street  
Charleston, South Carolina 29401  
E-mail: mcqueeneyd@charleston-sc.gov  
(843) 724-3730  
Attorney for Appellant City of Charleston

c: J. Brady Hair, Esquire  
Derk Van Raalte  
(Counsel for City of North Charleston)

Bruce E. Miller, Esquire  
(Counsel for Millbrook Plantation LLC)

Daniel S. McQueeney, Jr.  
City of Charleston – Legal Dept.  
50 Broad Street  
Charleston, SC 29401



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29211

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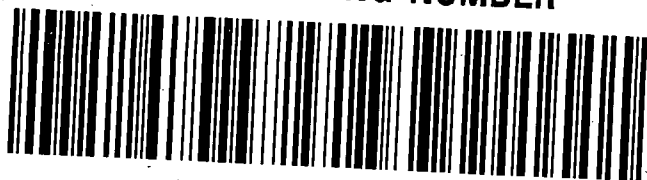
Label 107R, May 2014

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EXPECTED DELIVERY DAY: 05/28/19

**USPS TRACKING NUMBER**



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