

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS
) NINTH JUDICIAL CIRCUIT

COUNTY OF CHARLESTON

) CASE NO: 2017-CP-10-5245
)

One Hamlin Place Townhome
Association, Inc.,

Plaintiff,

) **AFFIDAVIT OF TYLER E. CLOUD, ESQUIRE**
) **AND MOTION FOR ENTRY OF DEFAULT AND**
) **REFERRAL**

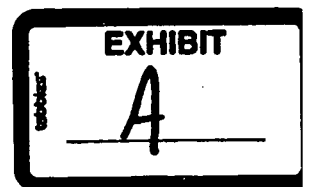
vs.

John Wieland Homes and
Neighborhoods of the Carolinas, Inc. as
successor by statutory merger to John
Wieland Homes and Neighborhoods of
South Carolina, Inc.; John Wieland
Homes of Charleston, Inc.; John
Wieland Homes, Inc. n/k/a John
Wieland Homes and Neighborhoods of
South Carolina; Builder Support Services
of the Carolinas, Inc.;
Wheelock Street Capital, LLC d/b/a John
Wieland Homes and Neighborhoods,
Inc.; Wheelock Street Real Estate Fund,
LP; Wheelock Street Investment
Management, LLC; RP Falcon
Properties, LLC; Residential Partners,
LLC; Middlesex Holdings, LLC; WS JWH,
LLC; JWC Phoenix, LLC; Bridgemill Land,
LLC; Annisquam Development, LLC; JW
Land Investment, LLC; JWC Guilford,
LLC; OOTB, LLC; JW Realty Associates,
Inc. a/k/a Wieland Realty Associates,
Inc.; John Wieland, individually; Sue
Wieland; Lindsey Parker; Robert Parker;
Jack Wieland; Jorge Medina; Jorge
Medina a/k/a JMC Construction, Inc.
a/k/a JMC Construction, LLC; John Does
(20-50); and Jane Does (41-50); AC
Construction, Inc.; Scott Parker,
individually; Builders FirstSource –
Southeast Group, LLC; Muhler LLC a/k/a
The Muhler Company, Inc.; YKK (U.S.A),
Inc.; Wheelock Street Real Estate Fund
II, LP; Wheelock Street Real Estate Fund
V, LP; WSREF, NRT, LLC; JW Homes, LLC;
JWH RPIV, LLC; RP Falcon Land, LLC;
Wieland Realty, LLC; RP Falcon Realty,

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SC Court of Appeals




LLC; Residential Partners II, LLC;)
Residential Partners III, LLC; Residential)
Partners IV, LLC; Paul M. Vasquez;)
Neighborhood Management Associates,)
Inc.; Billie and Antonio Arias d/b/a)
Antonio Arias Framing Construction;)
Tru-Don Contracting, Inc.; Fine Builders,)
LLC; Jose Alfredo Sandoval; Chad Larsen)
d/b/a Chad Larsen Co.; Ivan Jose Paiz)
d/b/a Jose Construction; William B.)
Angel; East Coast Wall Systems, Inc.;)
Tracyinne Construction a/k/a T&C)
Construction, LLC; Francisco and)
Andrea DaCosta d/b/a AAA Coastline,)
Inc.; Jack R. Clark d/b/a Jack Clark)
Construction, LLC; Alex Welch; Tracy)
McCuiston d/b/a Mastercraft Interior)
and Exterior; Universal Forest Products)
Eastern Division, Inc. a/k/a UFP Eastern)
Division, Inc.; Gonzalo Guerrero; A-)
Marc, Inc.; Emmanuel Kehagis d/b/a)
Creative Construction; Anthony Kirksey;)
Polly S. Clark d/b/a Glenn Clark)
Construction; Benjamin Mora a/k/a)
Benjamin L. Mora d/b/a Mora)
Construction f/k/a Mora's Construction)
and Benjamin Mora Construction, LLC)
n/k/a Mora Construction, LLC; Daniel L.)
Rogers d/b/a Rogers Roofing Co., Inc.)
n/k/a Dan Rogers Roofing, LLC; William)
C. Mulhern d/b/a Bill's Painting; Mark A.)
McFarland d/b/a In the Wind, Inc.;)
Harbor Master, Inc.; Chad Hood; Kinco)
Ltd. a/k/a Kinco, Inc.; Atrium)
Companies, Inc. d/b/a Atrium Windows)
and Doors, Inc. a/k/a HR Windows; The)
Contractor Yard, Inc.; New Construction)
Drywall Hanger, LLC f/k/a New)
Construction Drywall Hanger, Inc.; Doug)
Pilcher; and Michael Cassidy; DBC)
Construction Services, LLC; Gerardo)
Rosette Sanchez a/k/a GR Painting, LLC;)
Jesus Mora a/k/a J. Mora Brick & Block)
Mason, LLC; Juan Luis Sanchez a/k/a)
Sanchez Brothers Painting; Latitude)
Construction Services, LLC; Richard)
Ditullio a/k/a RDT Contracting, LLC;)

Valencia Medina;)
)
Defendants.)

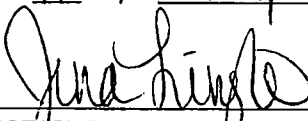
TO: CHERYL D. SHOUN AND MARVIN D. INFINGER, ATTORNEYS FOR DEFENDANT WHEELOCK STREET REAL ESTATE LAND FUND, L.P.

PERSONALLY APPEARED before me, Tyler E. Cloud, Esq., who being duly sworn deposes and says that he is the attorney for the Plaintiff in the above-captioned action; that pursuant to the previously filed Affidavits of Service, the Summons and Complaint were duly served upon the Defendants Wheelock Street Real Estate Land Fund, L.P. by certified mail, return receipt requested, on January 12, 2017 at 251 Little Falls Drive, Wilmington, Delaware; that more than thirty days have lapsed since service and no Answer, Motion, or Notice of Appearance has been made therein; and that said Defendants are now in default. Further, Defendants are not a member of the Armed Services of the United States as contemplated under the Soldiers and Sailors Relief Act.

FURTHER AFFIANT SAYETH NOT.


Tyler E. Cloud, Esquire
Attorney for the Plaintiff

SWORN TO AND SUBSCRIBED before me
this 14 day of May, 2018.


NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 9/16/20

NOW COMES THE PLAINTIFF, by and through their undersigned counsel, who would at this time, based on the affidavit of default contained herein, respectfully move before this honorable Clerk of Court for Entry of Default and Referral to Daniel S. Slotchiver, Esquire, who has consented to serve as Special Referee, to take testimony and direct entry of final judgment in this action under Rule 53, SCRPC.

Respectfully submitted,

HAYES LAW FIRM, LLC



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and

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Attorneys for the Plaintiff

May 14, 2018
Charleston, South Carolina