

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

IN THE COURT OF COMMON PLEAS )  
NINTH JUDICIAL CIRCUIT )  
CASE NO: 2017-CP-10-5245 )

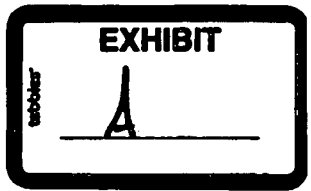
One Hamlin Place Townhome )  
Association, Inc., )

Plaintiff, )  
vs. )

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

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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JUL 26 2019  
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; )

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Valencia Medina; )  
 )  
Defendants. )

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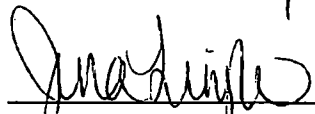
TO: CHERYL D. SHOUN AND MARVIN D. INFINGER, ATTORNEYS FOR DEFENDANT WHEELLOCK STREET INVESTMENT MANAGEMENT, LLC I, II, & V

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 Investment Management, LLC I, II, & V 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

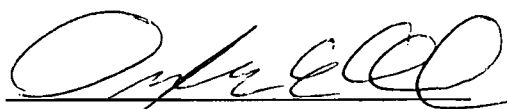
SWORN TO AND SUBSCRIBED before me  
this 14 day of may, 2018.

  
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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John C. Hayes, IV, Esquire  
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Charleston, SC 29401  
843-805-7003 office  
843-573-7388 fax

and

I. Keith McCarty, Esquire  
McCARTY LAW FIRM, LLC  
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Charleston, SC 29417  
Phone: 843-793-1272  
[ikeithmccarty@gmail.com](mailto:ikeithmccarty@gmail.com)

***Attorneys for the Plaintiff***

May 14, 2018  
Charleston, South Carolina