

90762

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No. 2018-CP-10-2764

RECEIVED

SEP 04 2019

SC Court of Appeals

Snee Farm Lakes Homeowner's Association, Inc.,
Individually and on Behalf of those Similarly Situated.....Respondent

v.

The Commission of Public Works for the
Town of Mount Pleasant d/b/a Mount Pleasant Waterworks,Appellant

NOTICE OF APPEAL

Appellant The Commission of Public Works for the Town of Mount Pleasant d/b/a Mount Pleasant Waterworks ("MPW") appeals the Orders of the Honorable Bentley D. Price filed June 14, 2019 and August 27, 2019. MPW received notice of the entry of the Order denying MPW's Motion to Reconsider with regard to the Court's grant of the Motion for Class Certification filed by Respondent Snee Farm Lakes Homeowner's Association, Inc., Individually and on Behalf of those Similarly Situated on August 26, 2019. Copies of the trial court's Orders are attached.

September 4, 2019

By: 

Gray T. Culbreath, S.C. Bar No. 11907
Amy L.B. Hill, S.C. Bar No. 68541
Janice Holmes, S.C. Bar No. 75038
GALLIVAN, WHITE & BOYD, P.A.
1201 Main Street, Suite 1200
Post Office Box 7368
Columbia, South Carolina 29202
Telephone: 803-779-1833
Facsimile: 803-779-1767
gculbreath@GWBlawfirm.com
ahill@GWBlawfirm.com
jholmes@GWBlawfirm.com

and

James A. Bruorton, IV
David G. Jennings
Timothy J.W. Muller
ROSEN HAGOOD
151 Meeting Street, Suite 400
Charleston, SC 29401

Attorneys for Appellant The Commission of Public
Works for the Town of Mount Pleasant d/b/a Mount
Pleasant Waterworks

Other Counsel of Record:

Clayton B. McCullough
McCULLOUGH KHAN, LLC
359 King St., Suite 200
Charleston, SC 29401
(843) 937-0400
Attorney for Respondent

Ross A. Appel
McCULLOUGH KHAN, LLC
359 King St., Suite 200
Charleston, SC 29401
(843) 937-0400
Attorney for Respondent

James L. Ward
McGOWAN, HOOD & FELDER, LLC
321 Wingo Way, Suite 103
Mt. Pleasant, SC 29464
(843) 388-7202
Attorney for Respondent

Ranee Saunders
McGOWAN, HOOD & FELDER, LLC
321 Wingo Way, Suite 103
Mt. Pleasant, SC 29464
(843) 388-7202
Attorney for Respondent

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No. 2018-CP-10-2764

RECEIVED
SEP 04 2019
SC Court of Appeals

Snee Farm Lakes Homeowner's Association, Inc.,
Individually and on Behalf of those Similarly Situated.....Respondent

v.

The Commission of Public Works for the
Town of Mount Pleasant d/b/a Mount Pleasant Waterworks,Appellant

PROOF OF SERVICE

I, the undersigned employee of Gallivan, White & Boyd, P.A., do hereby certify that I have caused the below referenced to be served via U.S. mail, postage prepaid, *or by other delivery as indicated*, to all parties of record at the address(es) shown below.

1. Notice of Appeal;
2. Proof of Service of the Notice of Appeal served on Respondent, Charleston County Clerk of Court, and The Honorable Bentley D. Price;
3. Copy of the Order to be challenged on appeal, which was signed by The Honorable Bentley D. Price, dated June 14, 2019, filed on June 14, 2019, and received in our office on June 14, 2019;
4. Copy of Order to be challenged on appeal, which was signed by The Honorable Bentley D. Price, dated August 27, 2019, filed on August 27, 2019, and received in our office on August 27, 2019; and
5. A check in the amount of \$250.00 for the filing fee.

Parties of Record

The Honorable Bentley D. Price
Circuit Court Judge
100 Broad St., Ste 432
Charleston, SC 29401

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, Suite 106
Charleston, SC 29401-2258

The Honorable Jenny Abbott Kitchings
SC Court of Appeals
1015 Sumter Street
Columbia, SC 29211
(via hand delivery)

GALLIVAN, WHITE & BOYD, P.A.

By:  _____

Janice Holmes, S.C. Bar 75038
Shelley S. Montague, S.C. Bar 68019
1201 Main Street, Suite 1200
Post Office Box 7368
Columbia, South Carolina 29202
Telephone: 803-779-1833
Facsimile: 803-779-1767
jholmes@GWBlawfirm.com
smontague@GWBlawfirm.com

Attorneys for Appellant Nautilus Insurance
Company

September 4, 2019

Other Counsel of Record:

Clayton B. McCullough
McCULLOUGH KHAN, LLC
359 King St., Suite 200
Charleston, SC 29401
(843) 937-0400
Attorney for Respondent

Ross A. Appel
McCULLOUGH KHAN, LLC
359 King St., Suite 200
Charleston, SC 29401
(843) 937-0400
Attorney for Respondent

James L. Ward
McGOWAN, HOOD & FELDER, LLC
321 Wingo Way, Suite 103
Mt. Pleasant, SC 29464
(843) 388-7202
Attorney for Respondent

Ranee Saunders
McGOWAN, HOOD & FELDER, LLC
321 Wingo Way, Suite 103
Mt. Pleasant, SC 29464
(843) 388-7202
Attorney for Respondent

September 4, 2019

RECEIVED

SEP 04 2019

SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
SC Court of Appeals
1015 Sumter Street
Columbia, SC 29211

RE: Snee Farm Lakes Homeowner's Association, Inc., Individually and on Behalf of
Those Similarly Situated v. The Commission of Public Works for the Town of
Mount Pleasant d/b/a Mount Pleasant Waterworks
Charleston County Case No.: 2018-CP-10-02764
GWB File No.: 8117-16

Dear Ms. Kitchings:

Enclosed for filing are the following:

1. Notice of Appeal
2. Proof of Service of the Notice of Appeal served on Respondent, Charleston County Clerk of Court, and The Honorable Bentley D. Price;
3. Copy of the Order to be challenged on appeal, which was signed by The Honorable Bentley D. Price, dated June 14, 2019, filed June 14, 2019, and received in our office on June 14, 2019;
4. Copy of the Order to be challenged on appeal, which was signed by The Honorable Bentley D. Price, dated August 27, 2019, filed August 27, 2019, and received in our office on June 14, 2019; and
5. A check in the amount of \$250.00 for the filing fee.

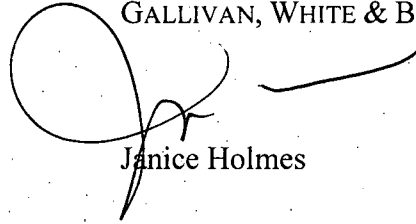
By copy of this letter, I am providing a copy of the Notice of Appeal to The Honorable Bentley D. Price and Counsel for the Respondent, and am filing the Notice of Appeal with the Charleston County Clerk of Court's office.

I would appreciate you returning clocked copies to me via our courier. Thank you for your assistance with this matter.

With kind regards, I am

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.

A handwritten signature in black ink, appearing to read 'Janice Holmes', with a large loop at the beginning and a long horizontal stroke extending to the right.

Janice Holmes

JH:amo

Enclosures

Cc: The Honorable Bentley D. Price

All Counsel of Record (via email only)