

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Larry B. Hyman, Jr., Circuit Court Judge

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SC Court of Appeals

Case No. 2012-CP-26-05610

Appellate Case No.: 2019-001814

Shaul Levy and Meir Levy Appellants,

v.

Carolinian, LLC Respondent.

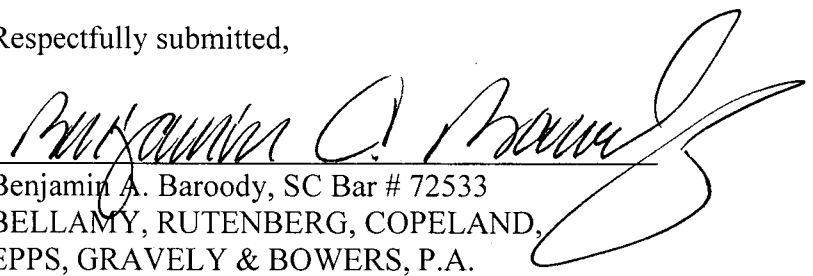
RESPONDENT'S BRIEF REGARDING APPEALABILITY

Benjamin A. Barody, SC Bar # 72533
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EPPS, GRAVELY & BOWERS, P.A.
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Attorney for Respondent

The Respondent agrees with Petitioners that the Orders of the Honorable Larry B. Hyman are immediately appealable under applicable law. The orders rendered were final inasmuch as they ended the case as it was presented to the trial court and no further proceedings are scheduled in the case. Therefore, if an appeal were to be made from the Orders, it would have to be made now. Had the trial court granted the Appellants' motion, the Respondent would have likely appealed such Order and based its grounds for appeal upon the same authority and logic relied upon by Appellants in their Brief.

As stated by Appellants in their Brief, Respondent does not agree with some of the characterizations of fact made by Appellants in their Brief, nor does the Respondent agree with the merits of their Appeal. However, the parties do agree that the trial court's order is appealable and that the only logical time for either party to seek review of that order is now.

Respectfully submitted,



Benjamin A. Baroody, SC Bar # 72533
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November 18, 2019

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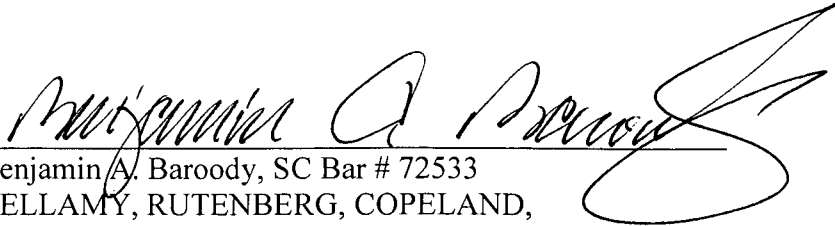
Carolinian, LLC Respondent.

PROOF OF SERVICE

The undersigned, an attorney in this matter for the Respondent, certifies that I have this 18th day of November, 2019, served copies of Respondent's Brief Regarding Appealability upon counsel for the Appellants by causing them to be deposited in the United States mail with sufficient postage attached, addressed to:

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⁺⁺ CERTIFIED ARBITRATOR



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November 18, 2019

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

Re: Shaul Levy and Meir Levy v. Carolinian, LLC
Appellate Case No.: 2019-001814

Dear Ms. Kitchings:

Enclosed for filing please find the original and one copy of Respondent's Brief Regarding Appealability in the above referenced matter. By copy of this letter as evidenced on the Proof of Service, I am serving counsel for Appellants with a copy of the above-referenced documents.

With kindest personal regards, I remain

Yours very truly,

BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.

Benjamin A. Baroody

BAB/dg
Enclosures

cc: Client
R. Wayne Byrd, Esquire
Mark B. Goddard, Esquire
R. Hawthorne Barrett, Esquire

**BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.**

ATTORNEYS AT LAW

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