

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

DEC 16 2019

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

SC Court of Appeals

Carmen T. Mullen, Circuit Court Judge

C.A. No.: 2018-CP-07-02345

Jon H. Attridge and Janet L. Attridge, Robert W. Bankov, Virginia J. Bankov, Tom Bolton, Guy I. Collier, Nancy L. Collier, Richard Jay Coleman, Marlene Coleman, Russell G. Dimke, Sandra A. Dimke, James G. Goodwin, Jr., Carol A. Goodwin, George J. Lovett, Wilna W. Lovett, Peter Marzluff, Deborah C. Marzluff, Gary Okey, Nancy Okey, Michael Pelleciha, Janice S. Pellechia, Frank H. Roberts, Sr., Richard Swilpa, Michele Gallant, Phyllis A. Kaupp-Seas, Robert P. Brendza, and Robin E. Brendza individually and in their derivative capacity on behalf of Bull Point Plantation Property Owners Association

..... Respondents,

vs

The Board of Directors of Bull Point Plantation Property Owners Association, Inc., Bull Point SC, LLC, William E. Gavigan, Michael Carey, Christopher J. Quick, James Riordan, DB Aster, LC, and GSI, LLC.....

Defendants/Counterclaimants,

And

Bull Point, SC, LLC, GSI, LLC, and William E. Gavigan,

..... Third-Party Plaintiffs,

Of whom,

Bull Point SC, LLC, William E. Gavigan, Michael Carey, Christopher J. Quick, James Riordan, GSI, LLC, are

..... Appellants,

vs

Steve Andrews, Harriet Bosiack, Joseph P. D'Ambrosio, Mary D'Ambrosio, Ron Lambe, Michael Powers, Robert Wolfson, Huspah Properties, LLC, and Rivers Reach at Pocotaligo, LLC, Third-Party Defendants.

---

AMENDED NOTICE OF APPEAL

---

NOW COME Bull Point, SC, LLC, William E. Gavigan, Michael Carey, Christopher J. Quick, James Riordan, and GSI, LLC (collectively referenced as the “Appellants” or “Bull Point Plantation Appellants”), by and through their undersigned counsel and appeal the Orders of the Honorable Carmen T. Mullen of the Beaufort County Court of Common Pleas, dated November 18, 2019 and December 5, 2019. Appellants received written notice of the first Order on November 18, 2019. Appellants filed a Motion to Alter or Amend on November 21, 2019, and received notice of denial of the Motion to Alter or Amend on December 5, 2019.

December 10, 2019.

RICHARDSON PLOWDEN & ROBINSON, P.A.

---

Eugene H. Matthews, S.C. Bar No. 10193  
Post Office Drawer 7788  
Columbia, South Carolina 29202  
T: (803) 771-4400  
F: (803) 779-0016  
Email: [gmatthews@richardsonplowden.com](mailto:gmatthews@richardsonplowden.com)

MOORE TAYLOR LAW FIRM  
S. Jahue Moore, S.C. Bar No. 4063  
Bryan Letteer, S.C. Bar No. 78700  
E. Hood Dawson, S.C. Bar No. 102225  
1700 Sunset Boulevard  
West Columbia, SC 29169  
T: (803) 796-9160  
F: (803) 791-8410  
Email: [jake@mttlaw.com](mailto:jake@mttlaw.com)

**COUNSEL FOR APPELLANTS**

**OTHER COUNSEL OF RECORD:**

M. Dawes Cook, Jr.  
Jeff M. Bogdan  
James M. Sullivan  
Marvin Infinger  
Barnwell Whaley Patterson & Helms  
P.O. Drawer H  
Charleston, SC 29402  
[mdc@barnwell-whaley.com](mailto:mdc@barnwell-whaley.com)  
[jsullivan@barnwell-whaley.com](mailto:jsullivan@barnwell-whaley.com)  
[minfinger@barnwell-whaley.com](mailto:minfinger@barnwell-whaley.com)  
[jbogdan@barnwell-whaley.com](mailto:jbogdan@barnwell-whaley.com)

Joseph D'Ambrosio  
Attorney at Law  
83 Barnaby Bluff  
Seabrook, SC 29940  
[jdambrosio@dambrosiolaw.net](mailto:jdambrosio@dambrosiolaw.net)

**Counsel for all Respondents**

Robert C. Rogers  
Moseley Marcinak Law Group, LLC  
P.O. Box 26148  
Greenville, SC 29616  
[Rocky.rogers@momarlaw.com](mailto:Rocky.rogers@momarlaw.com)  
[Rob.moseley@momarlaw.com](mailto:Rob.moseley@momarlaw.com)

**Co-Counsel for Individual Respondents  
Jon H. Attridge and Janet Attridge**

David S. Cobb  
Turner Padget Graham & Laney, PA  
P.O. Box 22129  
Charleston, SC 29413  
[dcobb@turnerpadget.com](mailto:dcobb@turnerpadget.com)

**Co-Counsel for Individual  
Respondents Michele Gallant  
and Richard Swilpa**

J.W. Nelson Chandler  
Amanda Kurzen Dudgeon  
Chandler & Dudgeon, LLC  
P.O. Box 547  
Charleston, SC 29402  
[nelson@chandlerdudgeon.com](mailto:nelson@chandlerdudgeon.com)  
[mandi@chandlerdudgeon.com](mailto:mandi@chandlerdudgeon.com)

**Co-Counsel for Individual Respondents  
Marlene Coleman and Richard Jay  
Coleman**

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

DEC 16 2019

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

C.A. No.: 2018-CP-07-02345

Jon H. Attridge and Janet L. Attridge, Robert W. Bankov, Virginia J. Bankov, Tom Bolton, Guy I. Collier, Nancy L. Collier, Richard Jay Coleman, Marlene Coleman, Russell G. Dimke, Sandra A. Dimke, James G. Goodwin, Jr., Carol A. Goodwin, George J. Lovett, Wilna W. Lovett, Peter Marzluff, Deborah C. Marzluff, Gary Okey, Nancy Okey, Michael Pellechia, Janice S. Pellechia, Frank H. Roberts, Sr., Richard Swilpa, Michele Gallant, Phyllis A. Kaupp-Seas, Robert P. Brendza, and Robin E. Brendza individually and in their derivative capacity on behalf of Bull Point Plantation Property Owners Association

..... Respondents,

vs

The Board of Directors of Bull Point Plantation Property Owners Association, Inc., Bull Point SC, LLC, William E. Gavigan, Michael Carey, Christopher J. Quick, James Riordan, DB Aster, LC, and GSI, LLC..... Defendants/Counterclaimants,

And

Bull Point, SC, LLC, GSI, LLC, and William E. Gavigan,

..... Third-Party Plaintiffs,

Of whom,

Bull Point SC, LLC, William E. Gavigan, Michael Carey, Christopher J. Quick, James Riordan, GSI, LLC, are

..... Appellants,

vs

Steve Andrews, Harriet Bosiack, Joseph P. D'Ambrosio, Mary D'Ambrosio, Ron Lambe, Michael Powers, Robert Wolfson, Huspah Properties, LLC, and Rivers Reach at Pocotaligo, LLC, Third-Party Defendants.

---

AFFIDAVIT OF SERVICE

---

I, the undersigned employee of Richardson Plowden & Robinson, P.A., counsel for the Appellants do hereby swear that I have served a filed copy of the **Amended Notice of Appeal** by causing a copy of the same to be personally deposited in the United States mail, first class postage prepaid, addressed as indicated below and/or via electronic delivery on this the 10th day of December, 2019:

M. Dawes Cook, Jr.  
Jeff M. Bogdan  
James M. Sullivan  
Marvin Infinger  
Barnwell Whaley Patterson & Helms  
P.O. Drawer H  
Charleston, SC 29402  
[mdc@barnwell-whaley.com](mailto:mdc@barnwell-whaley.com)  
[jsullivan@barnwell-whaley.com](mailto:jsullivan@barnwell-whaley.com)  
[minfinger@barnwell-whaley.com](mailto:minfinger@barnwell-whaley.com)  
[ibogdan@barnwell-whaley.com](mailto:ibogdan@barnwell-whaley.com)

Joseph D'Ambrosio  
Attorney at Law  
83 Barnaby Bluff  
Seabrook, SC 29940  
[jdambrosio@dambrosiolaw.net](mailto:jdambrosio@dambrosiolaw.net)

**Counsel for Respondents**

Robert C. Rogers  
Moseley Marcinak Law Group, LLC  
P.O. Box 26148  
Greenville, SC 29616  
[Rocky.rogers@momarlaw.com](mailto:Rocky.rogers@momarlaw.com)  
[Rob.moseley@momarlaw.com](mailto:Rob.moseley@momarlaw.com)

**Co-Counsel for Respondents  
Jon H. Attridge and Janet Attridge**

David S. Cobb  
Turner Padgett Graham & Laney, PA  
P.O. Box 22129  
Charleston, SC 29413  
[dcobb@turnerpadgett.com](mailto:dcobb@turnerpadgett.com)

**Co-Counsel for Respondents Michele  
Gallant and Richard Swilpa**

J.W. Nelson Chandler  
Amanda Kurzen Dudgeon  
Chandler & Dudgeon, LLC  
P.O. Box 547  
Charleston, SC 29402  
[nelson@chandlerdudgeon.com](mailto:nelson@chandlerdudgeon.com)  
[mandi@chandlerdudgeon.com](mailto:mandi@chandlerdudgeon.com)

**Co-Counsel for Respondents Marlene  
Coleman and Richard Jay Coleman**

\_\_\_\_\_  
Mary Jane Wilson  
Legal Assistant

SWORN to and subscribed

before me this \_\_\_\_ day of

December, 2019.

\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My commission expires: \_\_\_\_\_

RECEIVED  
DEC 16 2019  
SC Court of Appeals

RICHARDSON  
PLOWDEN  
ATTORNEYS AT LAW

1900 Barnwell Street  
Columbia, SC 29201  
P: 803.771.4400  
F: 803.779.0016

2103 Farlow Street  
Myrtle Beach, SC 29577  
P: 843.448.1008  
F: 843.448.1533

235 Magrath Darby Boulevard,  
Suite 100  
Mt. Pleasant, SC 29464  
P: 843.805.6550  
F: 843.805.6599

[www.RichardsonPlowden.com](http://www.RichardsonPlowden.com)

FAX TRANSMISSION

TO: Amella

FROM: MJ

DATE: 12/16/19

TIME: 10:10 AM

PAGES TO FOLLOW: 6

NAME OF CASE: Attridge vs Bull Point

MATTER NO: \_\_\_\_\_

FAX NUMBER: 803-734-1839

COMMENTS: Good morning Amella, I am enclosing a proposed affidavit of service, together with a proposed

Amended Notice of Appeal. Once you have a chance to review, feel free to give me a call and we can discuss further.

Thanks, MJ

The information contained in this facsimile may be attorney-client privileged, attorney work product, or strictly confidential information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone at (803) 771-4400 and return the original message to us at the above address via the U.S. Postal Service.

If you are having any problems receiving, please call: (803) 771-4400 and ask for \_\_\_\_\_.