

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

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C.A. No.: 2017-CP-40-06621

**RECEIVED**

**Apr 16 2020**

**SC Court of Appeals**

Teresa Parler, derivatively on behalf of SCANA Corporation,  
*Plaintiff,*

v.

Kevin Marsh, Gregory Aliff, James Bennett, John Cecil, Sharon Decker, Maybank Hagood, Lynne Miller, James Roquemore, Maceo Sloan, Alfredo Trujillo, Jimmy Addison, and Steven Byrne,

*Defendants,*

and

SCANA Corporation,

*Nominal Defendant.*

Of Whom:

Nominal Defendant SCANA Corporation and Defendants Kevin Marsh, Gregory Aliff, James Bennett, John Cecil, Sharon Decker, Maybank Hagood, Lynne Miller, James Roquemore, Maceo Sloan, Alfredo Trujillo, Jimmy Addison, and Steven Byrne are

*Appellants.*

and

Plaintiff Teresa Parler, derivatively on behalf of SCANA Corporation, is

*Respondent.*

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**NOTICE OF APPEAL**

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Nominal Defendant SCANA Corporation and Defendants Kevin Marsh, Gregory Aliff, James Bennett, John Cecil, Sharon Decker, Maybank Hagood, Lynne Miller, James Roquemore, Maceo Sloan, Alfredo Trujillo, Jimmy Addison, and Steven Byrne (collectively, “Defendants”) appeal the order in this matter filed on March 18, 2020, denying Defendants’ SCRPC Rule 12(c) motion to dismiss for lack of derivative standing and granting Teresa Parler’s motion to intervene. The order is immediately appealable because it “involv[es] the merits,” S.C. Code § 14-3-330(1), and “affect[s] a substantial right,” § 14-3-330(2).<sup>1</sup>

This notice of appeal is timely. SCANA received written notice of the entry of the order on March 18, 2020. A copy of the order is attached to this Notice as Exhibit A.

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<sup>1</sup> Defendants are also filing a petition for a writ of certiorari in the Supreme Court of South Carolina relating to the same order.

Dated: April 16, 2020

Respectfully submitted,

s/ John A. Massalon

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***Counsel for Plaintiff-Respondent Teresa Parler***

**CERTIFICATE OF SERVICE**

I, the undersigned, an employee of Richardson Plowden & Robinson, P.A., for Nominal Defendant and Appellant SCANA Corporation, do hereby certify that I have this date served the foregoing Notice of Appeal, dated April 16, 2020, and attached the order granting Teresa Parler’s motion to intervene and denying Defendants’ SCRCP Rule 12(c) motion to dismiss for lack of derivative standing, by personally: (1) filing a copy of the same with The Honorable Jeanette McBride, Richland County Clerk of Court, using the South Carolina Courts E-Filing System, and (2) e-mailing a copy of the same on the following counsel of record using the primary email addresses listed in the Attorney Information System (if applicable):

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***Counsel for Plaintiff-Respondent Teresa Parler***

**RECEIVED**  
**Apr 16 2020**  
**SC Court of Appeals**

A copy of the sent email is enclosed with this Proof of Service.

Dated: April 16, 2020

s/ Benjamin P. Carlton

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**Subject:** Parler v. Marsh et al. - 2017-CP-40-00621 - Defendants' Notice of Appeal  
**Date:** Thursday, April 16, 2020 2:28:00 PM  
**Attachments:** [Notice of Appeal - SC Court of Appeals -Combined \(4-16-2020\) \(email\).pdf](#)

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Counsel,

Please find attached a copy of Defendants' Notice of Appeal in the above-referenced matter, which is being filed contemporaneously herewith.

Thank you and stay safe.

Ben Carlton

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**Apr 16 2020**  
**SC Court of Appeals**

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