

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

William A. McKinnon, Circuit Court Judge

RECEIVED

Aug 31 2020

SC Court of Appeals

Case No. 2017-CP-26-03008

Douglas Kelsey,Plaintiff,

v.

House of Blues Myrtle Beach Restaurant Corporation; HOB Entertainment, Inc.; and Travis Scott Wagoner,Defendants,

AND

House of Blues Myrtle Beach Restaurant Corporation,Third-Party Plaintiff/Appellant,

v.

Throttlefest, LLC; American Outlaw Spirits Incorporated; Full Throttle LLC; and Full Throttle Sloon Shine, LLC.....Third-Party Defendants, of whom American Outlaw Spirits Incorporated; Full Throttle LLC; and Full Throttle Sloon Shine, LLC, are the **Respondents**.

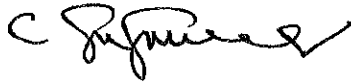
NOTICE OF APPEAL

Third-Party Plaintiff House of Blues Myrtle Beach Restaurant Corporation appeals the following orders of the Honorable William A. McKinnon, Circuit Court Judge:

- Order Granting Motions to Dismiss (filed on March 26, 2020) (**Exhibit A**); and
- Order Granting Motion to Reconsider in Part and Denying it in Part (filed on July 31, 2020) (**Exhibit B**); and

Counsel for Third-Party Plaintiff received written notice of the entry of the Order Granting Motion to Reconsider in Part and Denying it in Part on July 31, 2020, which was the triggering date for the instant appeal.

Respectfully submitted,
COLLINS & LACY, P.C.



By: _____

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ATTORNEYS FOR APPELLANTS

NOTICE OF APPEAL

Columbia, South Carolina
August 31, 2020

Other Counsel of Record:

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Katherine T. Merritt, Esquire
Jason Paul Murphy, Esquire
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Counsel for Plaintiff Douglas Kelsey

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***Counsel for Defendant
Travis Scott Wagoner***

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Kara Shea Grevey, Esquire
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Charleston, SC 29401
***Counsel for Third-Party Defendants
American Outlaw Spirits Incorporated; Full
Throttle, L.L.C.; and Full Throttle Sloon
Shine, LLC***

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P. O. Drawer H
Charleston, SC 29402-0197
***Counsel for Third-Party
Defendant/Respondent Throttlefest, LLC***

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Corporation,Third-Party Plaintiff/Appellant,

v.

Throttlefest, LLC; American Outlaw
Spirits Incorporated; Full Throttle LLC;
and Full Throttle Sloon Shine, LLC.....Third-Party Defendants,
of whom Throttlefest,
LLC is the **Respondent**.

PROOF OF SERVICE

Counsel for Appellant House of Blues Myrtle Beach Restaurant Corporation certifies they have served Appellant House of Blues Myrtle Beach Restaurant Corporation's Notice of Appeal on all parties by depositing a copy of the same in the United States Mail, postage prepaid, on August 31, 2020, addressed to the following attorneys of record:

COUNSEL SERVED:

M. Dawes Cooke, Jr., Esquire
Jeffrey M. Bogdan, Esquire
Barnwell Whaley Patterson & Helms, LLC
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*Counsel for Third-Party
Defendant/Respondent Throttlefest, LLC*

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*Counsel for Defendant Travis Scott
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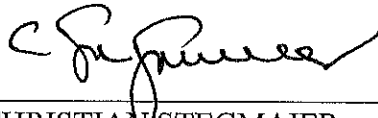
OTHERS SERVED:

The Honorable Renee Elvis
Horry County Clerk of Court
Post Office Box 677
Conway, SC 29528-0677

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,
COLLINS & LACY, P.C.

By:



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ATTORNEYS FOR APPELLANTS

**PROOF OF SERVICE FOR NOTICE OF
APPEAL**

Columbia, South Carolina
August 31, 2020



Christian Stegmaier | D: 803.255.0454 | E: cstegmaier@collinsandlacy.com

August 31, 2020

VIA U.S. MAIL AND EMAIL

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

RECEIVED
Aug 31 2020
SC Court of Appeals

Re: *Douglas Kelsey v. House of Blues Myrtle Beach Restaurant Corporation, HOB Entertainment, Inc., and Travis Scott Wagoner; House of Blues Myrtle Beach Restaurant Corporation v. Throttlefest LLC, American Outlaw Spirits Incorporated, Full Throttle, L.L.C., and Full Throttle Sloon Shine, LLC*
Civil Action No. 2017-CP-26-03008
Claim No. 188372477-001-GL
C&L File No. 001133-00111

Dear Ms. Kitchings:

Please find enclosed for filing the unbound original and one (1) copy of the Notice of Appeal in the above-referenced matter. I am also enclosing copies of the Orders that are the basis for the appeal and a check in the amount of \$250.00 for the required filing fee. Please return a filed, stamped copy of the Notice of Appeal to my office in the envelope provided for your convenience.

Pursuant to the Supreme Court’s Amended Order “re: Operation of the Appellate Courts During the Coronavirus Emergency” (2020-05-29-02, Appellate Case No. 2020-000447), we have not included any additional copies of the Notice. If any additional copies are required, please let us know.

By copy of this letter, a copy of same is being served upon counsel of record and the Honorable Renee Elvis, Horry County Clerk of Court.

Thank you for your time and attention. Should you have any questions, please do not hesitate to contact me.

Respectfully,

Christian Stegmaier

CS/net
Encl.

The Honorable Jenny A. Kitchings
August 31, 2020
Page 2

cc (via U.S. Mail and email):

M. Dawes Cooke, Jr., Esquire
Jeffrey M. Bogdan, Esquire
James Rainsford, Esquire
Katherine T. Merritt, Esquire
Jason Paul Murphy, Esquire
William E. Lawson, Esquire
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Kara Shea Grevey, Esquire

cc (via U.S. Mail and electronic filing):

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