

93324

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SEP 28 2020
SC Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable James E. Chellis
Dorchester County Master-in-Equity

APPELLATE CASE NO. 2020-001168

NCP PILGRIM, LLC, Respondent,

v.

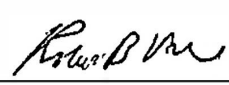
MARY LOU CERCOPELY, DAVID S. CLANCY, SOUTH CAROLINA FEDERAL
CREDIIT UNION, SOUTHCOAST COMMUNITY BANK, JOAN GEANURACOS and
DAVID SEAN CLANCY,

of whom MARY LOU CERCOPEL, DAVID S. CLANCY and DAVID SEAN CLANCY
are the..... Appellants.

**MOTION FOR PERMISSION TO ORDER TRANSCRIPT
OUTSIDE DEADLINE**

Mary Lou Cercopely, David Clancy and David Sean Clancy (“Appellants”) hereby move
the Court for Permission to Order the Transcript of their Motion for Reconsideration outside the
time established by Rule 207, SCACR.

Respectfully submitted,



Robert B. Varnado (S.C. Bar # 007085)
BROWN & VARNADO LLC
P.O. Box 1127
Mount Pleasant, South Carolina 29465
(843) 737-7300
Attorneys for Appellants

September 22, 2020
Mt. Pleasant, South Carolina

TRANSCRIPT OF PROCEEDINGS

1 (1 ELECTRONICALLY FILED - 2020 Mar 25 11:10 AM - DORCHESTER - COMMON PLEAS - CASE#2018CP1802053 4)

Page 1

1 IN THE PROBATE COURT
2 FOR THE STATE OF SOUTH CAROLINA
3 DORCHESTER COUNTY

4 TRANSCRIPT OF PROCEEDINGS
5 JANUARY 28, 2020

6 NCP PILGRIM, LLC,
7 Plaintiff,

8 vs. CASE NO. 2018-CP-18-2053

9 MARY LOU CERCOPELY; DAVID S. CLANCY; SOUTH
10 CAROLINA FEDERAL SAVINGS BANK; SOUTHCOAST
11 COMMUNITY BANK; JOAN GEANURACOS; DAVID SEAN
12 CLANCY,
13 Defendants.

14 BEFORE THE HONORABLE: JAMES CHELLIS
15 TIME: 11:30 AM
16
17 LOCATION: DORCHESTER COUNTY COURTHOUSE
18 SAINT GEORGE, SC

19
20
21
22 REPORTED BY: MACKENZIE ALLEN
23 CLARK & ASSOCIATES, INC.
24 CHARLESTON, SC 29415
25 843-762-6294
WWW.CLARK-ASSOCIATES.COM

Page 2

1 APPEARANCES

2

3 ON BEHALF OF PLAINTIFF:

4 RUSSELL PATTERSON
5 BY: LAUREN WILLIAMS
6 BY: RUSSELL PATTERSON
7 19 Shelter Cove Lane
Suite 107
Hilton Head, SC 29928

8 ON BEHALF OF DEFENDANT:

9 BROWN & VARNADO
10 BY: ROBERT VARNADO
11 103 Church Street
Mount Pleasant, SC 29464

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Page 3

1 INDEX

EXAMINATION	PAGE
3 DIRECT BY MS. WILLIAMS	26
CROSS-EXAMINATION BY MR. VARNADO	34
REDIRECT EXAMINATION BY MS. WILLIAMS	40
RECROSS-EXAMINATION BY MR. VARNADO	42
8 CERTIFICATE OF REPORTER	47

9 EXHIBITS

EXHIBIT	DESCRIPTION	PAGE
11 Plaintiff's Exhibit No. 1	Prime + 1 Line of Credit Nonresidential Loan, 6/10/04	21
Plaintiff's Exhibit No. 2	Mortgage, 6/16/04	22
Plaintiff's Exhibit No. 3	Rerecorded Mortgage, 6/5/06	22
Plaintiff's Exhibit No. 4	Note and Mortgage Modification, 8/13/09	23
Plaintiff's Exhibit No. 5	Loan and Mortgage Modification, 6/24/10	23
Plaintiff's Exhibit No. 6	Assignment of Real Estate Mortgage	23
Plaintiff's Exhibit No. 7	Assignment of Mortgage or Other Security Instrument	23
Plaintiff's Exhibit No. 8	Limited Power of Attorney - CRE/ADC Venture 2012-1, LLC	23
Plaintiff's Exhibit No. 9	KeyBank Real Estate Capital Loan History Report, 1/24/13	24
Plaintiff's Exhibit No. 10	Letter from Russell Patterson Office, 10/25/18	24
Plaintiff's Exhibit No. 11	Original Complaint	24
Plaintiff's Exhibit No. 12	Amended Complaint, 4/5/19	24
Plaintiff's Exhibit No. 13	NCP Pilgrim Affidavit of Debt	24

Page 4

Plaintiff's Exhibit No. 14	Foreclosure Action, 2/11/10	24
Plaintiff's Exhibit No. 15	Answer of Defendants, 3/29/10	25
Plaintiff's Exhibit No. 16	Current Tax Bill/Tax Notice	25
Defendant's Exhibit No. 1	Letter from FDIC, 6/5/12	33
Defendant's Exhibit No. 2	Delinquent Tax	33
Plaintiff's Exhibit No. 17	Assignment of Home Equity Variable Draw Agreement, 12/11/12	40
Plaintiff's Exhibit No. 18	Assignment of Home Equity Variable Draw Agreement, 6/26/18	40
Plaintiff's Exhibit No. 19	Omnibus Agreement, 12/11/12	41

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**BROWN &
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ATTORNEYS AT LAW

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ROBERT B. VARNADO
DIRECT: (843) 737-7301
EMAIL: rvarnado@brown-varnado.com

September 22, 2020

Ms. Pamela Meskill
Clark & Associates, Inc.
P.O. Box 12189
Charleston, SC 29422

RECEIVED
SEP 28 2020
SC Court of Appeals

Re: Appeal: NCP Pilgrim, LLC v. Mary Lou Cercopely et al v.
Charleston County Case No.: 2020-001168
Our File No. 6305

Dear Ms. Meskill:

I want to order the transcript of the hearing before Judge Chellis, the Dorchester County Master in Equity, taken by Mackenzie Allen on August 3, 2020 (Job No 39958). I have paid the balance on Invoice No. 67514.

Thank you.

With best regards, I remain

Very truly yours,

BROWN AND VARNADO LLC



Robert B. Varnado

RBV

cc: South Carolina Office of Court Administration, 1220 Senate St. Suite 200, Columbia SC 29201
Russell P. Patterson, Esquire
Lauren P. Williams, Esquire

INVOICE

1 of 1

CLARK & ASSOCIATES, INC.

Court Reporting & Video Conferencing
PO Box 12189 Charleston SC 29422

Robert B. Varnado, Esq.
Brown & Varnado, L.L.C.
103 Church St
Mt. Pleasant, SC 29464

Invoice No:	Invoice Date	Job No:
67514	8/3/2020	39958
Job Date	Case No:	
8/3/2020		
Case Name		
NCP Pilgrim v. Mary Cercopely et al		
Payment Terms		
Due upon receipt		

Court Testimony for Dorchester Couy Master

300.00

TOTAL DUE >>>

\$300.00

Location of Job : NO LOCATION - ALL PARTIES TO ATTEND VIA WEBEX

Thank you for your business!

You can make a payment by going to <https://www.clark-associates.com/make-a-payment/>

Clark & Associates is going green! Clark & Associates will send out all transcripts & invoices electronically. We will store your original transcript and exhibits until you go to trial. Please contact our office for more information or to request your sealed transcript.

Please call us at 843-762-6294 should you have any questions!

Tax ID: 57-1123170

Please detach bottom portion and return with payment.

Robert B. Varnado, Esq.
Brown & Varnado, L.L.C.
103 Church St
Mt. Pleasant, SC 29464

Invoice No. : 67514
Invoice Date : 8/3/2020
Total Due : \$300.00

Remit To: **Clark & Associates, Inc.**
PO Box 12189
Charleston, SC 29422

Job No. : 39958
BU ID : CHS-MAIN
Case No. :
Case Name : NCP Pilgrim v. Mary Cercopely et al

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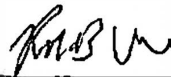
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CREDIT UNION, SOUTHCOAST COMMUNITY BANK, JOAN GEANURACOS and
DAVID SEAN CLANCY,

of whom MARY LOU CERCOPEL, DAVID S. CLANCY and DAVID SEAN CLANCY
are the..... Appellants.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the *Motion for Permission to Order Transcript Outside Deadline* the above referenced case has been served upon counsel of record by mailing a copy in an envelope properly addressed with postage prepaid on this day to the following:

Russell P. Patterson, Esquire
Lauren P. Williams, Esquire
Russell P. Patterson P. A.
P. O. Box 8047
Hilton Head Island, SC 29938
Attorneys for Respondent



Robert B. Varnado (S.C. Bar # 0007850)
BROWN & VARNADO, LLC
P.O. Box 1127
Mount Pleasant, South Carolina 29465
(843) 737-7300
Attorneys for Appellants

August 18, 2020
Mt. Pleasant, South Carolina

**BROWN &
VARNADO** LLC
ATTORNEYS AT LAW

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SC Court of Appeals

VIA U.S. MAIL

The Honorable V. Clair Allen
Deputy Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: Appeal: NCP Pilgrim, LLC v. Mary Lou Cercopely et al v.
Charleston County Case No.: 2020-001168
Our File No. 6305

Dear Ms. Allen:

Thank you for your letter of September 15, 2020.

The trial transcript was ordered by counsel for the Respondent, NCP Pilgrim, LLC, earlier this year and was entered into the Eflex system on April 5, 2020 (along with five Exhibits).

Mindful of Rule 207(a)(1) which requires that I order the entire transcript, however, please find my Motion to Order Transcript Outside Filing deadlines; my letter to the Reporter ordering a copy of the Appellant's Motion to Reconsider (and Respondent's Motion for Attorneys Fees), with my check for \$50.00.

With best regards, I remain

Very truly yours,

BROWN AND VARNADO LLC



Robert B. Varnado

RBV

cc: Russell P. Patterson, Esquire (*Via U.S. Mail*)
Lauren P. Williams, Esquire (*Via U.S. Mail*)

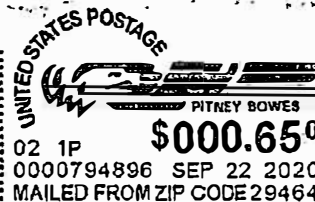
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SC Court of Appeals

CHARLESTON SC 294

22 SEP 2020 PM 1



Brown & Varnado, LLC
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Mount Pleasant, SC 29465

The Honorable V. Claire Allen
Dep. Clerk, S.C. Court of Appeals
1220 Senate Street
Columbia, SC 29201



29201-376999

