

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Oct 21 2020
SC Court of Appeals

APPEAL FROM HORRY COUNTY
William H. Seals, Jr., Circuit Court Judge

Case No. 2019-CP-26-01732

City of Myrtle Beach, on behalf of itself and
a class of similarly situated Plaintiffs,Appellant,

v.

Horry County,Respondent.

NOTICE OF APPEAL

Appellant, City of Myrtle Beach, on behalf of itself and a class of similarly situated plaintiffs (“City”), appeals the order of the Honorable William H. Seals, Jr. filed on October 20, 2020, only to the extent that it adopts the interpretation of the Rule 23(e), SCRCF proposed by Respondent, Horry County. The City received written notice of entry of the order, a copy of which is attached as Exhibit “A,” on October 20, 2020.

SIGNATURE PAGE FOLLOWS

Respectfully submitted,

s/John M.S. Hoefer

John M.S. Hoefer, S.C. Bar No. 2549
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Attorneys for Appellant

Columbia, South Carolina
October 21, 2020

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THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM HORRY COUNTY

William H. Seals, Jr., Circuit Court Judge

C/A No. 2019-CP-26-01732

City of Myrtle Beach, For Itself and a Class of Similarly Situated Plaintiffs,Appellant,

v.

Horry County,Respondent.

CERTIFICATE OF SERVICE

This is to certify that I, a shareholder with the law firm Willoughby & Hoefler, P.A., have caused to be served this day one (1) copy of Appellant City of Myrtle Beach's **Notice of Appeal** by electronic mail delivery of same to the recipients listed and at their Attorney Information System provided email addresses below:

William Grayson Lambert, Esquire
glambert@burr.com
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A copy of the email serving counsel as stated above is attached hereto as Exhibit 1.

s/John M.S. Hoefler

John M. S. Hoefler

S.C. Bar No. 2549

Columbia, South Carolina

This 21st day of October, 2020

From: John Hoefer

Sent: Wednesday, October 21, 2020 5:25 PM

To: Gene Connell <gconnell@classactlaw.net>; Carotti, Arrigo <CarottiA@HorryCounty.org>; 'hgolding@burr.com' <hgolding@burr.com>; 'jgilliam@burr.com' <jgilliam@burr.com>; 'aartigliere@burr.com' <aartigliere@burr.com>; 'glambert@burr.com' <glambert@burr.com>

Cc: Walker Humphrey <WHumphrey@Willoughbyhoefer.com>; Chad Johnston <CJohnston@Willoughbyhoefer.com>

Subject: City of Myrtle Beach, et al. v. Horry County; C/A No. 2019-CP-26-01732

Counsel,

As permitted by part (g)(3) of Supreme Court Order 2020-05-29-02, I am herewith serving via E-mail Appellant City of Myrtle Beach's Notice of Appeal from the circuit court's October 20, 2020, order in the above-referenced matter.

Shortly, I will be filing this with the Court of Appeals electronically as permitted by part (c)(5) of the Order, and will attach this E-mail to the certificate of service of same.

Please advise if you have any difficulty opening an attachment.

Best regards,

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IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein. This advice may not be forwarded (other than within the taxpayer to which it was sent) without our express written consent.

WILLOUGHBY & HOEFER, P.A.
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October 21, 2020

VIA ELECTRONIC FILING

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

Re: *City of Myrtle Beach On Behalf of Itself and a Class of Similarly Situated Plaintiffs, v. Horry County, C/A No. 2019-CP-26-01732*

Dear Ms. Kitchings:

Attached for electronic filing in accordance with Supreme Court Order 2020-05-29-02, part (c)(6), and pursuant to Rules 203 and 241 of the South Carolina Appellate Court Rules, please find the Notice of Appeal of Appellant City of Myrtle Beach in the above-referenced matter. As permitted by Order 2020-05-29-02, part (d), no other copies, whether paper or electronic, are being provided.

By copy of this letter, we are serving counsel for Respondent via email as permitted by Order 2020-05-29-02, part (g)(3), and attached is a proof of service to that effect.

A check in the amount of \$250.00 for the filing fees associated with the Notice of Appeal is being forwarded to your attention via U.S. Mail.

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings

October 21, 2020

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If you have any questions, please do not hesitate to contact me. With best regards, I am,

Sincerely,

WILLOUGHBY & HOEFER, P.A.

s/ John M.S. Hoefer

John M. S. Hoefer

JMSH/cgc
attachment

cc: Gene M. Connell, Jr., Esquire (gconnell@classactlaw.net)
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