

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

67674

APPEAL FROM YORK COUNTY
Equity Court

The Honorable S. Jackson Kimball, Master-in-Equity

RECEIVED

MAR 18 2013

SC COURT OF APPEALS

Case No.: 2012-CP-46-02286

Charles Sonnenberg, Festival Corp., Phillip Pulley
and Robert Foster. Appellants,

v.

D&T Imports South Carolina, Inc., a Nevada Corporation,
d/b/a Area 51 Fireworks, and York County, a political
subdivision of the State of South Carolina, Defendants,

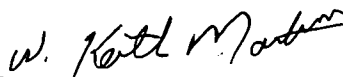
of whom,

D&T Imports South Carolina, Inc., a Nevada Corporation,
d/b/a Area 51 Fireworks is Respondent.

NOTICE OF APPEAL

Notice is hereby given that Phillip Pulley and Robert Foster appeal the final order of the Honorable S. Jackson Kimball dated February 14, 2013 and the judgment entered thereon as well as the Interlocutory Order of Judge Kimball dated November 13, 2012. Appellant received written notice of entry of the final order and judgment on February 18, 2012. Copies of the orders, from which the Appellants appeal, are attached hereto.

Respectfully submitted,



W. Keith Martens
Daniel J. Ballou
HAMILTON MARTENS BALLOU
& CARROLL, LLC
P.O. Box 10940
Rock Hill, SC 29730
(803) 329-7672

March 15, 2013
Rock Hill, South Carolina

ATTORNEYS FOR APPELLANTS

Other Counsel of Record:

James Sheedy
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11520 North Community House Rd
Suite 200
Charlotte, NC 28277

G. Hamlin O'Kelley, III
Buist, Byars & Taylor, LLC
652 Coleman Blvd
Mount Pleasant, SC 29464

ATTORNEYS FOR RESPONDENT

Michael K. Kendree
P.O. Box 299
York, South Carolina 29745

ATTORNEY FOR YORK COUNTY

THE STATE OF SOUTH CAROLINA
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d/b/a Area 51 Fireworks, and York County, a political
subdivision of the State of South Carolina, Defendants,

of whom,

D&T Imports South Carolina, Inc., a Nevada Corporation,
d/b/a Area 51 Fireworks is Respondent.

PROOF OF SERVICE

I, W. Keith Martens, certify that I have today served the within notice of appeal upon the Respondents by depositing a copy of it in the United States Mail, postage prepaid, addressed to their attorney of record James Sheedy, Driscoll Sheedy, PA, 11520 North Community House Road, Suite 200, Charlotte, NC 28277; G. Hamlin O'Kelley, III, Buist Byars & Taylor, LLC, 652 Coleman Blvd., Mount Pleasant, SC 29464; on the attorney for York County, Michael Kendree, Post Office Box 299, York, SC 29745, and on the Clerk of the lower court, The Hon. David Hamilton, York County Clerk of Court, PO Box 649, York, SC 29745 .

March 15, 2013

W. Keith Martens

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ATTORNEYS FOR APPELLANTS

4819-1695-8995, v. 1

ND: 4826-5002-9314, v. 1

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March 15, 2013

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RECEIVED
MAR 18 2013
SC Court of Appeals

RE: *Charles Sonnenberg, Festival Corp., Phillip Pulley and Robert Foster vs.
D&T Imports South Carolina, Inc., et al*
C/A No.: 2012-CP-46-02286

Dear Ms. Kitchings:

Enclosed for filing, please find the Notice of Appeal in this case on behalf of the Appellants. Also enclosed are the following:

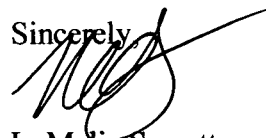
- (1) Proof of service for the notice of appeal;
- (2) A copy of the Orders which are to be challenged on appeal; and
- (3) A filing fee of \$100.

Please return a clocked-in copy in the envelope provided. Thank you very much for your kind cooperation and assistance.

By copy of this letter to all counsel or record and the Honorable David Hamilton, Clerk of Court for York County, I have enclosed a copy of the Notice of Appeal, Proof of Service, and supporting documentation.

Thank you. Please feel free to call me if you have any questions of if you need me to do anything further.

Sincerely,



L. Melia Sweatt
Paralegal

/lms
Enclosures

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cc: James Sheedy
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The Hon. David Hamilton
York County Clerk of Court
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