

RECEIVED

Mar 11 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM Charleston COUNTY  
Court of Common Pleas for the Ninth Circuit

The Honorable Mikell Scarborough, Master in Equity

Case No.: 2016-CP-10-02955

TCC OF CHARLESTON, INC.,.....Plaintiff / Appellant,

v.

CONCORD AND CUMERLAND, LLC., CONCORD & CUMBERLAND HPR, LEO HALL, DIANE HALL, BEA H. SMITH, MARGARET C. POPE, WILLIAM D. FOSTER, JR., GENE G. FOSTER, MATTISON J. MACGILLIVRAY, TERESA MACGILLIVRAY, PAMELA L. VAUGHN, NELIA A. PATRICIO, Trustee of the Nelia A. Patricio Revocable Trust Agreement, STUART D. REEVES, EDWARD T. STROM, BARBARA K. HENDERSON, JAMES R. CLARKE, PAUL A. BRIM, ROBERT K. SEIDL, JENNIFER M. SEIDL, ROBERT KENNETH SEIDL, II, M. BERT STOREY, THOMAS R. MATHER, EDWARD T. STROM, 304 CONCORD & CUMBERLAND, LLC, MARION M. SIMPSON F/K/A MARION MOORE MCDONALD SIMPSON, KATHY GARDNER, GREGORY J. GARDNER, FREEMAN WATERFRONT PROPERTIES, LLC, JO-ANN COOPER, BETTY Y. SEGAL, ROBERT M. LEVIN AND BONITA K. LEVIN, DONALD D. LEONARD, BETTY L. BEATTY, MATTELLEN, LLC, AND THOMAS R. DEBNAM, Trustee of the Trust Agreement of Thomas R. Debnam,..... Defendants/Respondents.

NOTICE OF APPEAL

Plaintiff, TCC of Charleston, Inc., appeals from the orders of the Honorable Mikell Scarborough dated February 16, 2021 (**Exhs. A, B**) and March 3, 2021 (**Exh. C**) in which the Court, *inter alia*, granted summary judgment in favor of Defendants/Respondents and awarded them attorneys' fees pursuant to the South Carolina Mechanic's Lien Statute, S.C. Code § 29-5-10 *et seq.*

[signature on following page]

March 11, 2021  
Charleston, South Carolina

**EPTING & RANNIK, LLC**

/s/ Jaan Rannik \_\_\_\_\_

Jaan G. Rannik  
46A State Street  
Charleston, SC 29401  
Phone: 843-377-1871  
Fax: 843-377-1310  
[jgr@epting-law.com](mailto:jgr@epting-law.com)

*ATTORNEYS FOR PLAINTIFF/APPELLANT*

**RECEIVED**

**Mar 11 2021**

**SC Court of Appeals**

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

---

**APPEAL FROM Charleston COUNTY**  
Court of Common Pleas for the Ninth Circuit

The Honorable Mikell Scarborough, Master in Equity

---

**Case No.: 2016-CP-10-02955**

---

TCC OF CHARLESTON, INC.,.....Plaintiff / Appellant,

v.

CONCORD AND CUMERLAND, LLC., CONCORD & CUMBERLAND HPR, LEO HALL, DIANE HALL, BEA H. SMITH, MARGARET C. POPE, WILLIAM D. FOSTER, JR., GENE G. FOSTER, MATTISON J. MACGILLIVRAY, TERESA MACGILLIVRAY, PAMELA L. VAUGHN, NELIA A. PATRICIO, Trustee of the Nelia A. Patricio Revocable Trust Agreement, STUART D. REEVES, EDWARD T. STROM, BARBARA K. HENDERSON, JAMES R. CLARKE, PAUL A. BRIM, ROBERT K. SEIDL, JENNIFER M. SEIDL, ROBERT KENNETH SEIDL, II, M. BERT STOREY, THOMAS R. MATHER, EDWARD T. STROM, 304 CONCORD & CUMBERLAND, LLC, MARION M. SIMPSON F/K/A MARION MOORE MCDONALD SIMPSON, KATHY GARDNER, GREGORY J. GARDNER, FREEMAN WATERFRONT PROPERTIES, LLC, JO-ANN COOPER, BETTY Y. SEGAL, ROBERT M. LEVIN AND BONITA K. LEVIN, DONALD D. LEONARD, BETTY L. BEATTY, MATTELLEN, LLC, AND THOMAS R. DEBNAM, Trustee of the Trust Agreement of Thomas R. Debnam,..... Defendants/Respondents.

---

**PROOF OF SERVICE**

---

I certify that I have served the Notice of Appeal dated March 11, 2021, on opposing counsel via e-mail, on March 11, 2021, addressed to Respondents' counsel of record.

Edward D. Buckley, Esquire - [ebuckley@ycrlaw.com](mailto:ebuckley@ycrlaw.com)

W. Siau Barr, Jr., Esquire – [sbarr@ycrlaw.com](mailto:sbarr@ycrlaw.com)

R. Andrew Walden, Esquire – [Andrew.Walden@wdb-us.com](mailto:Andrew.Walden@wdb-us.com)

Henry Grimball, Esquire - [Henry.Grimball@wbd-us.com](mailto:Henry.Grimball@wbd-us.com)

F. Cordes Ford, IV, Esquire - [Cordes.Ford@wbd-us.com](mailto:Cordes.Ford@wbd-us.com)

A copy of the e-mail is attached to this Proof of Service as Exhibit A.

March 11, 2021  
Charleston, South Carolina

**EPTING & RANNIK, LLC**

/s/ Rhonda H. McCraw \_\_\_\_\_  
Rhonda H. McCraw  
Legal Assistant to Jaan G. Rannik  
46A State Street  
Charleston, SC 29401  
Phone: 843-377-1871  
Fax: 843-377-1310  
[rhm@epting-law.com](mailto:rhm@epting-law.com)

# EXHIBIT A

## Jaan Rannik

---

**From:** Rhonda H. McCraw  
**Sent:** Thursday, March 11, 2021 15:33  
**To:** Herron, Robin; Buckley, Edward D. (Ed; Barr, Jr., W. Siau; ADemato@yclaw.com; Mixson, Kathryn; Walden, Andrew; Grimball, Henry; Ford, Cordes  
**Cc:** Andrew K. Epting; Jaan Rannik  
**Subject:** TCC of Charleston v Concord & Cumberland, et al  
**Attachments:** 2021 03 11 - TCC Notice of Appeal.pdf; 2021 03 11 - TCC Notice of Appeal Ex. A.PDF; 2021 03 11 - TCC Notice of Appeal Ex. B.PDF; 2021 03 11 - TCC Notice of Appeal Ex. C.PDF

Dear Counsel:

Attached for service you will find Plaintiff/Appellant, TTC of Charleston's, Notice of Appeal from the orders of Judge Scarborough dated February 16, 2021. Feel free to contact me if you have any difficulty opening the attachments.

Sincerely,

*Rhonda*

Rhonda H. McCraw, ACP  
Legal Assistant to Jaan G. Rannik  
Epting & Rannik, LLC  
46A State Street  
Charleston SC 29401  
843-377-1871

The information contained in this communication is confidential information intended only for the use of the individual or entity addressed to. If you are not the intended recipient of this communication, you are hereby notified that any dissemination, distribution, or copying of this E-mail, and any attachments thereto is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately by reply to (843)377-1871 and permanently delete the original and any copy or printout of this E-mail or attachments.