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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas, Business Court Program

R. Lawton McIntosh, Circuit Court Judge

Case No. 2019-CP-23-00998

McMillan Pazdan Smith, LLC, Plaintiff-Respondent,

v.

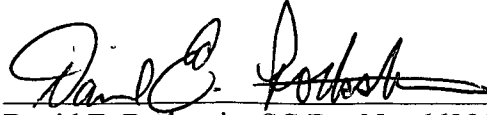
Donza H. Mattison, Defendant-Appellant,

NOTICE OF APPEAL

Appellant, Donza H. Mattison, hereby appeals the Orders of the Honorable R. Lawton McIntosh dated February 12, 2021 and March 17, 2021, granting summary judgment in favor of Respondent on its own declaratory judgment action. Appellant received written notice of the entry of these Orders on February 12, 2021 and March 17, 2021, respectively. After receiving the Order Granting Motion for Summary Judgment on February 12, 2021, Appellant timely filed and served a Motion to Alter or Amend or For Reconsideration of Summary Judgment Order on Plaintiff's Declaratory Judgment Action, pursuant to Rule 59(e), SCRCPP, on February 22, 2021. Appellant received written notice of the entry of the Form 4 Order denying the Motion to Alter or Amend on March 17, 2021.

[Signature of Counsel on Following Page]

April 1, 2021



David E. Rothstein, SC Bar No. 66295
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Attorney for Appellant

Other Counsel of Record:

Samuel W. Outten
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2 W. Washington St., Suite 400
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Attorney for Respondent

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Ford Harrison
100 Dunbar St., Suite 300
Spartanburg, SC 29306
Attorney for Respondent

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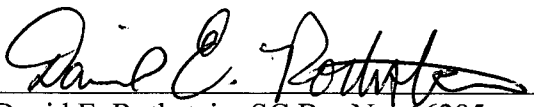
v.

Donza H. Mattison, Defendant-Appellant,

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on April 1, 2021, addressed to the following attorneys of record for Respondent: Samuel W. Outten and Miles Coleman, Nelson Mullins Riley & Scarborough LLP, 2 W. Washington St., Suite 400, Greenville, SC 29601; Thomas H. Keim, Jr., Ford Harrison, 100 Dunbar St., Suite 300, Spartanburg, SC 29306.

April 1, 2021


David E. Rothstein, SC Bar No. 66295
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April 2, 2021

Hon. Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: McMillan Pazden Smith, LLC v. Donza H. Mattison etc.,
Case No. 2019-CP-23-00998

Dear Ms. Kitchings:

I represent Appellant, Donza H. Mattison, in the above-reference case. Enclosed please find the original and one copy of the Notice of Appeal regarding Judge McIntosh's Orders granting Plaintiff's Motion for Summary Judgment on their Declaratory Judgment Claim and denying Defendant's Motion to Alter or Amend and for Reconsideration. Please file the original notice and return a clocked-in copy to me via the enclosed return envelope.

I am also enclosing the following: (1) Proof of Service (2) a copy of the Orders which are to be challenged on appeal, (3) my firm's check for the filing fee of \$250.00 pursuant to Rule 203, SCACR, as amended by Order of October 9, 2018; and (4) Transcript Request Form for the hearing on March 16, 2021, and cover email to Court Reporter, Mona L. Manley. I am sending a copy of this letter and the Transcript Request Form to Court Administration.

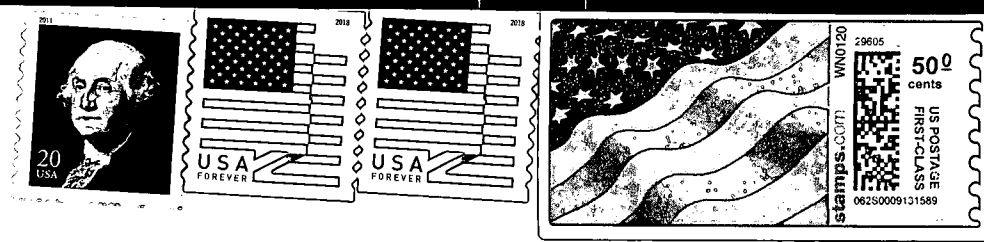
Thank you in advance for your attention to this matter. If you have any questions or need anything else, please do not hesitate to call me or email me.

Sincerely yours,

David E. Rothstein

Enclosures

cc: Samuel W. Outten, Esq. (w/out enclosures)
Thomas H. Keim, Jr., Esq. (w/out enclosures)
SC Court Administration (w/ 4th enclosure only)



ROTHSTEIN LAW FIRM, PA

1312 Augusta Street ♦ Greenville, SC 29605

Hon. Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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