

THE SOUTH CAROLINA COURT OF APPEALS

William F. Tomz and Francis W. Tomz, Individually and
As Class Representatives, Respondents,

RECEIVED

vs.

Sep 01 2021

Capital Investment Funding, LLC, by and through its
Receiver, Jerry T. Saad, Respondent, and Arthur M. Field,
Defendant,

SC Court of Appeals

Of Whom Arthur M. Field is an Appellant.

In Re: Kathryn Taillon, Appellant.

Appellate Case No. 2021-000341

The Honorable Jean Hofer Toal
Greenville County
Trial Court Case No. 2008CP2303665

AMENDED MOTION FOR CORRECTION OF CAPTION AND
EXTENSION OF TIME FOR RESPONDENTS TO FILE
BRIEFS AND DESIGNATION OF ADDITIONAL MATTER

The undersigned counsel for the Respondents in the above referenced matters hereby file this Amended Motion to Correct the Caption in these appeals to properly designate Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, as a Respondent, and to extend the time for Respondents to file their Briefs and Designation of Additional Matter in these appeals until November 2, 2021.

This Amended Motion is filed out of an abundance of caution due to confusion arising concerning electronic confirmation of the consent of the attorneys for the Appellants to the previously filed Joint Motion, which was filed on August 31, 2021.

Respectfully submitted,

HENDERSON, BRANDT & VIETH, P.A.

By: /s/ George Brandt, III

George Brandt, III SC Bar 855
Attorney for Respondent, Capital Investment
Funding, LLC, By and through its Receiver, Jerry
T. Saad

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BUTLER MEANS EVINS AND BROWNE, P.A.

By: /s/ Stanley T. Case

Stanley T. Case SC Bar 1158
Attorney for Respondents, William F. Tomz and
Francis W. Tomz, Individually and as Class
Representatives

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Spartanburg, SC 29304
Office: 864-582-5630
Facsimile: 864-585-2034
E-mail: scase@butlermeans.com

Dated this 1st day of September, 2021
at Spartanburg, South Carolina

THE SOUTH CAROLINA COURT OF APPEALS

William F. Tomz and Francis W. Tomz, Individually and
As Class Representatives, Respondents,

vs.

Capital Investment Funding, LLC, by and through its
Receiver, Jerry T. Saad, Respondent, and Arthur M. Field,
Defendant,

Of Whom Arthur M. Field is an Appellant.

In Re: Kathryn Taillon, Appellant.

Appellate Case No. 2021-000341

The Honorable Jean Hofer Toal
Greenville County
Trial Court Case No. 2008CP2303665

ORDER CORRECTING CAPTION AND GRANTING
EXTENSION OF TIME

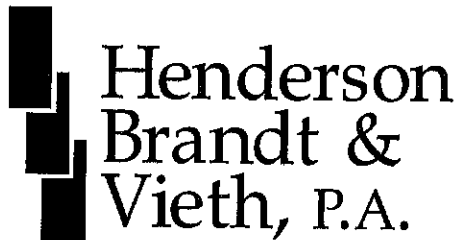
Based upon the Amended Motion filed by the Respondents in the above referenced matters, the Court hereby orders that Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, is added as a Respondent, and the time for Respondents to file their Briefs and designation of additional matter in these appeals is extended until November 2, 2021.

FOR THE COURT

By: _____
CLERK

Columbia, South Carolina

cc: George Brandt, III, Esquire
Stanley T. Case, Esquire
Micajah P. Caskey, IV, Esquire
Jeffrey P. Dunlaevy, Esquire



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Attorneys At Law

September 1, 2021

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SC Court of Appeals

VIA E-MAIL (ctappfilings@sccourts.org; and siritchie@sccourts.org)

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

RE: William Tomz v. Capital Investment Funding, LLC, et al.
Appellate Case No. 2021-000341

Dear Ms. Kitchings:

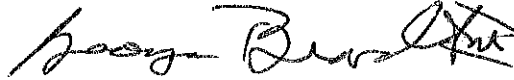
We are writing, as a follow-up, to our letter to you of August 31, 2021, in order to file an Amended Motion by Capital Investment Funding, LLC, by and through its Receiver, Jerry T. Saad, and William F. Tomz and Francis W. Tomz, Individually and as Class Representatives. The Amended Motion again requests the correction of the caption and requests an extension of time for the Respondents to file Briefs and Designation of Additional Matter. We are filing this Amended Motion out of an abundance of caution due to the filing made on August 31, 2021 by attorney Jeffrey P. Dunlaevy on behalf of the Appellant Taillon.

Attached for filing is the Amended Motion for correction of the caption and extension of time for the Respondents to file Briefs and Designation of Additional Matter, which would be due on November 2, 2021. We are filing the Amended Motion and a proposed Order electronically, and we are sending a check in the amount of \$50.00 for this filing by U.S. Mail.

Thank you very much for your attention to this matter.

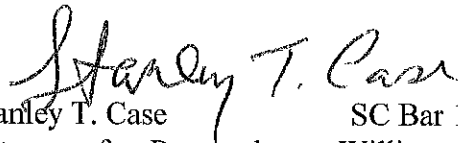
The Honorable Jenny Abbott Kitchings
September 1, 2021
Page 2

Respectfully submitted,



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LLC, By and through its Receiver, Jerry T. Saad

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