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**Dec 08 2021**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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Appeal from Charleston County  
Court of Common Pleas

R. Kirk Griffin, Circuit Court Judge

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Case No. 2011-CP-10-07166

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Otha Delaney,  
Individually and on behalf of all others similarly situated,

Respondent,

v.

First Financial of Charleston, Inc.,

Appellant.

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**NOTICE OF APPEAL**

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CLEMENT RIVERS, LLP

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Russell G. Hines (SC Bar No. 72100)

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*Additional Counsel for Respondent*

Defendant, First Financial of Charleston, Inc. (“Appellant”), hereby appeals the following orders of the Honorable R. Kirk Griffin, Circuit Court Judge:

- **Order Denying Defendant’s Motion to Dismiss Amended Class Action Complaint**, filed August 19, 2021, and
- **Order [Denying Defendant’s Motion to Alter, Amend, and/or Reconsider Order Denying Defendant’s Motion to Dismiss Amended Class Action Complaint]**, filed November 8, 2021.

Copies of the appealed orders are attached hereto and incorporated herein by reference. Appellant received written notice of entry of the most recent order on November 8, 2021.

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
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December 8, 2021

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*Additional Counsel for Appellant*

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First Financial of Charleston, Inc.,

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**PROOF OF SERVICE**

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*Additional Counsel for Appellant*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that Appellant's **NOTICE OF APPEAL** was served on all parties to this matter on December 8, 2021, by mailing and emailing (see attached) a copy of the same to the following counsel of record:

Amanda K. Dudgeon, Esquire  
[mandi@chandlerdudgeon.com](mailto:mandi@chandlerdudgeon.com)  
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Charleston, SC 29407

*Additional Counsel for Respondent*

I further certify that Appellant's **NOTICE OF APPEAL** was this day, December 8, 2021, E-Filed with the lower court (which also, i.e., in addition to service by mail and email, effected service of the notice today on the above-identified counsel of record via the E-Filing System).

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
Russell G. Hines (SC Bar No. 72100)  
*Attorneys for Appellant*

Charleston, South Carolina

December 8, 2021

## Bell, Pollyana (Polly)

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**From:** Bell, Pollyana (Polly)  
**Sent:** Wednesday, December 8, 2021 4:02 PM  
**To:** 'Amanda K. Dudgeon'; 'tiffany@chandlerdudgeon.com'; 'Twombley@twlawfirm.com'; 'Lee Walters'; 'rick@1214law.com'; 'dale.h.friedman@gmail.com'; 'hawkinslawfirm@aol.com'  
**Cc:** Hines, Russell; Justman, Aimee  
**Subject:** Delaney v. First Financial; 2011-CP-10-07166  
**Attachments:** [Appealed Order No. 1] 2021 8-19 -- Order Denying Motion to Dismiss Am. Compl.pdf; [Appealed Order No. 2] 2021 11-8 -- Order Denying MTR Order Denying MTD Am. Comp.pdf; Delaney v. First Financial of Charleston -- Notice of Appeal.pdf

Good afternoon, enclosed please find a Notice of Appeal and the orders referenced therein in the above matter which will be filed today with the Court of Appeals.

Thank you,

Pollyana Bell  
Project Assistant  
Commercial Litigation Practice Group  
Phone:(843)720-5488 | Fax:(843)579-1369



**CLEMENT RIVERS, LLP**  
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FOR OFFICE



CLEMENT RIVERS, LLP  
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December 8, 2021

**VIA US MAIL & E-MAIL**

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

**RECEIVED**  
**Dec 08 2021**  
**SC Court of Appeals**

Re: Otha Delaney v. First Financial of Charleston  
Case No.: 2011-CP-10-7166  
YCR File: 14768-20110934

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter please find the following:

1. Notice of Appeal;
2. Order Denying Defendant's Motion to Dismiss Amended Class Action Complaint, filed August 19, 2021;
3. Order [Denying Defendant's Motion to Alter, Amend, and/or Reconsider Order Denying Defendant's Motion to Dismiss Amended Class Action Complaint], filed November 8, 2021;
4. Proof of Service;
5. Our firm's check for the filing fee.

Please return a filed copy to us. With best wishes and kindest regards, I am

Sincerely,

CLEMENT RIVERS, LLP

Pollyana Bell  
Project Assistant

/pbb  
Enclosures

cc (via US mail & e-mail): Amanda K. Dudgeon, Esquire  
Tiffany A.P. Elling, Esquire  
J. Ashley Twombly, Esquire  
Lee Anne Walters, Esquire  
Frederick M. Corley, Esquire  
Philip L. Fairbanks, Esquire  
Graham Edward Hawkins, III, Esquire