

January 24, 2022

**RECEIVED**

**Jan 24 2022**

**SC Court of Appeals**

**Sent via Electronic Mail**

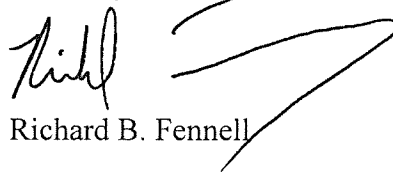
South Carolina Court of Appeals  
Attn: Clerk of Court  
PO Box 11629  
Columbia, SC 29211  
ctappfilings@sccourts.org

**Re: *Equinox, LLC v. Brandon Epps and Courtney Epps, et al***  
***Appellate Case File No.: 2022-000061***

To Whom It May Concern:

Our firm represents Brandon Epps, Courtney Epps, As Next of Friends of Alexis Marion Hucks, Adrienne Belle Hucks, Wells Skipper Hucks, Sawyer Lane Epps, Cooper Wade Epps, and Lilli Madelyn Epps (the "Epps"). Enclosed please find the agreement to produce the transcript and related correspondence of the proceeding which is relevant to the appeal. Should you have any questions, please do not hesitate to contact our office.

Sincerely,



Richard B. Fennell

Enclosure/

cc: Adam Bach (via US Mail and Electronic Mail)

## Blosser, Andrea

---

**From:** Hudgins, Susan W. <SHudgins@sccourts.org>  
**Sent:** Sunday, January 23, 2022 7:29 PM  
**To:** Blosser, Andrea  
**Subject:** Re: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476  
**Attachments:** W-9\_Signed.pdf

Please see the attached W-9.

Thanks,

Susan W. Hudgins  
Circuit Court Reporter At-Large  
13th Judicial Circuit  
PO Box 326  
Fairforest, SC 29336

---

**From:** Blosser, Andrea <ablosser@jmdlaw.com>  
**Sent:** Saturday, January 22, 2022 4:03 PM  
**To:** Hudgins, Susan W. <SHudgins@sccourts.org>  
**Subject:** Re: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

Can you send me a W9 for our records?

Thank you,  
Andrea Blosser

Get [Outlook for Android](#)

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**From:** Hudgins, Susan W. <SHudgins@sccourts.org>  
**Sent:** Saturday, January 22, 2022 11:06:29 AM  
**To:** Blosser, Andrea <ablosser@jmdlaw.com>  
**Subject:** Re: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

Please make the check payable to me and sent to the address listed below.

Thanks,

Susan W. Hudgins  
Circuit Court Reporter At-Large  
13th Judicial Circuit  
PO Box 326  
Fairforest, SC 29336

---

**From:** Blosser, Andrea <ablosser@jmdlaw.com>  
**Sent:** Friday, January 21, 2022 3:06 PM  
**To:** Hudgins, Susan W. <SHudgins@sccourts.org>  
**Subject:** RE: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Susan W. Hudgins		
	<b>2</b> Business name/disregarded entity name, if different from above		
	<b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes. <input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ▶ _____	<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
	<b>5</b> Address (number, street, and apt. or suite no.) See instructions. 568 Brown Arrow Circle	<b>Requester's name and address (optional)</b>	
	<b>6</b> City, state, and ZIP code Inman, SC 29349		
	<b>7</b> List account number(s) here (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>											
OR											
Employer identification number											
<table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>											

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ 11/2/21
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

Good Afternoon,

We are making out the check to send to for this request. Who should we make the check out to?

**From:** Hudgins, Susan W. <SHudgins@sccourts.org>  
**Sent:** Tuesday, January 18, 2022 11:08 AM  
**To:** Blosser, Andrea <ablosser@jmdlaw.com>  
**Subject:** Re: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

Okay. You're welcome!

Susan W. Hudgins  
Circuit Court Reporter At-Large  
13th Judicial Circuit  
PO Box 326  
Fairforest, SC 29336

---

**From:** Blosser, Andrea <ablosser@jmdlaw.com>  
**Sent:** Tuesday, January 18, 2022 11:06 AM  
**To:** Hudgins, Susan W. <SHudgins@sccourts.org>  
**Subject:** RE: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

Thank you. I will double check with the attorneys and get back to you about this by the end of today to see what they need. I appreciate your very quick response!

Sincerely,  
Andrea Blosser

**From:** Hudgins, Susan W. <SHudgins@sccourts.org>  
**Sent:** Tuesday, January 18, 2022 11:02 AM  
**To:** Blosser, Andrea <ablosser@jmdlaw.com>  
**Subject:** Re: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

I can email the transcript in pdf format once it has been produced. And if you do not need a hard copy, I will waive the \$40.00 fee for an emailed transcript.

Susan W. Hudgins  
Circuit Court Reporter At-Large  
13th Judicial Circuit  
PO Box 326  
Fairforest, SC 29336

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**From:** Blosser, Andrea <ablosser@jmdlaw.com>  
**Sent:** Tuesday, January 18, 2022 10:56 AM  
**To:** Hudgins, Susan W. <SHudgins@sccourts.org>; Transcripts <transcripts@sccourts.org>  
**Cc:** Fennell, Rich <rfennell@jmdlaw.com>; Houti, Jennifer <JHouti@jmdlaw.com>  
**Subject:** RE: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

Good Morning Ms. Hudgins,

Is there an option for an electronic version of the transcript?

Sincerely,

**Andrea M. Blosser**

Legal Assistant to Richard B. Fennell, Mary Kay Baynard,  
and Alexandra B. Bachman

**JMD** JAMES McELROY & DIEHL, P.A.  
ATTORNEYS AT LAW

525 North Tryon Street, Suite 700  
Charlotte, NC 28202

Main: 704-372-9870

Direct: 704-971-1303

Direct Fax: 704-350-1016

**From:** Hudgins, Susan W. <[SHudgins@sccourts.org](mailto:SHudgins@sccourts.org)>

**Sent:** Tuesday, January 18, 2022 10:54 AM

**To:** Blosser, Andrea <[ablosser@jmdlaw.com](mailto:ablosser@jmdlaw.com)>; Transcripts <[transcripts@sccourts.org](mailto:transcripts@sccourts.org)>

**Cc:** Fennell, Rich <[RFENNELL@jmdlaw.com](mailto:RFENNELL@jmdlaw.com)>; Houti, Jennifer <[JHouti@jmdlaw.com](mailto:JHouti@jmdlaw.com)>

**Subject:** Re: Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

Good morning, Ms. Blosser,

Please see the attached letter.

Susan W. Hudgins

Circuit Court Reporter At-Large

13th Judicial Circuit

PO Box 326

Fairforest, SC 29336

---

**From:** Blosser, Andrea <[ablosser@jmdlaw.com](mailto:ablosser@jmdlaw.com)>

**Sent:** Friday, January 14, 2022 1:20 PM

**To:** Hudgins, Susan W. <[SHudgins@sccourts.org](mailto:SHudgins@sccourts.org)>

**Cc:** Fennell, Rich <[rfennell@jmdlaw.com](mailto:rfennell@jmdlaw.com)>; Houti, Jennifer <[JHouti@jmdlaw.com](mailto:JHouti@jmdlaw.com)>

**Subject:** Equinox, LLC v. Brandon Epps and Courtney Epps; 2017-CP-42-04476

Good Afternoon Ms. Hudgins,

Our firm represents the Defendants and Third-Party Plaintiffs in case number 2017-CP-42-04476. I believe that you were the court reporter present at a Motion to Dismiss hearing for Judge. J. Mark Hayes, II on March 24, 2021 for this file number. Would you be able to send us a copy of the transcript from the hearing?

If I should reach out to someone else, please let me know. Thank you for your help.

Sincerely,

**Andrea M. Blosser**

Legal Assistant to Richard B. Fennell, Mary Kay Baynard,  
and Alexandra B. Bachman

525 North Tryon Street, Suite 700  
Charlotte, NC 28202

Main: 704-372-9870

Direct: 704-971-1303

Direct Fax: 704-350-1016

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*SUSAN W. HUDGINS*  
*CIRCUIT COURT REPORTER*  
*P.O. BOX 326*  
*Fairforest, S.C. 29336*

January 18, 2022

James McElroy & Diehl, P.A.  
Attorneys at Law  
525 North Tryon Street, Suite 700  
Charlotte, NC 28202  
Attn: Andrea Blosser

RE: Equinox, LLC v. Brandon Epps and Courtney Epps  
2017-CP-42-04476

Dear Ms. Blosser:

I am in receipt of your letter requesting the above-mentioned transcript. I have reviewed my records and estimate that the transcript will be approximately 45 pages. Based on the current rate of \$4.25 per page, the cost will be approximately \$191.25.

Pursuant to Rule 607, the amount indicated above, \$191.25, is due for the transcript you have requested. Upon receipt of the amount due, your transcript request will be placed in line for production. Upon completion of the transcript, an invoice will be sent to you for the remaining balance to be paid or you will receive a refund, if applicable.

Under the South Carolina Court Rules, a court reporter has 60 days from the date of request to complete the transcript. In this instance, the 60 day period will be determined based on the date the payment has been received. You will be notified if any extensions are approved by Court Administration beyond the 60 days.

Sincerely,

s/Susan W. Hudgins

Susan W. Hudgins  
Circuit Court Reporter  
At-Large

January 24, 2022

**Sent via US Mail**

Susan W. Hudgins  
Circuit Court Reporter  
PO Box 326  
Fairforest, South Carolina 29336

**Re: *Equinox, LLC v. Brandon Epps and Courtney Epps, et al***  
***Spartanburg County File No.: 2017-CP-42-04476***

Ms. Hudgins:

Enclosed please find our check for \$191.25 covering the cost of the transcript as described in your letter of January 18, 2022.

Sincerely,



Andrea M. Blosser  
Legal Assistant to Richard B. Fennell

Enclosure/

cc: Adam Bach (via US Mail and electronic mail)

JAMES, McELROY & DIEHL, P.A.  
ATTORNEY TRUST ACCOUNT  
525 NORTH TRYON STREET, SUITE 700  
CHARLOTTE, NORTH CAROLINA 28202



NUMBER  
100401

66-30/531

DATE

01-24-22

ONE HUNDRED NINETY-ONE AND 25/100 DOLLARS

\$\*\*\*\*\*191.25

PAY  
TO THE  
ORDER  
OF

SUSAN W. HUDGINS

E4448-70689



*For O. Ochs IV*

⑈ 100401 ⑈ ⑆ 053 100300 ⑆ 000 13 169803 ⑈

JAMES, McELROY & DIEHL, P.A.  
ATTORNEY TRUST ACCOUNT

Request Number: 161653

Check Number: 100401

Payee: SUSAN W. HUDGINS

Check Date: Jan 24/22

| Trust Number | Client | Matter | Remarks                                           | Amount   |
|--------------|--------|--------|---------------------------------------------------|----------|
| 70689        | E4448  | 70689  | FEE FOR COURT TRANSCRIPT OF HEARING ON 03/24/2021 | \$191.25 |