

STATE OF SOUTH CAROLINA
 COUNTY OF GEORGETOWN
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2012-CP-22-934

Bonnie N. Charlton, et al.
 PLAINTIFF(S)

South Bay Properties, LLC, et al.
 DEFENDANT(S)

Submitted by: Benjamin H. Culbertson, Presiding Judge

Attorney for : Plaintiff Defendant
 or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Motion for Reconsideration by defendants John Steven Goodwin, Louise C. Goodwin, Gary E. Owens and Joyce M. Owens dated 3/7/2013 and filed 3/7/2013 is DENIED.
 (This motion was decided without oral arguments.)

FILED
 GEORGETOWN COUNTY, S.C.
 2013 APR -8 PM 2:43
 ALBERT WHITE
 CLERK OF COURT

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A	N/A	\$ N/A

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Benjamin H. Culbertson
 Benjamin H. Culbertson, Circuit Court Judge

2148
 Judge Code

March 26, 2013
 Date

For Clerk of Court Office Use Only

This judgment was entered on the 8th day of April, 2013 and a copy mailed first class or placed in the appropriate attorney's box on this 8th day of April, 2013 to attorneys of record or to parties (when appearing pro se) as follows:

Charles T. Smith

ATTORNEY(S) FOR THE PLAINTIFF(S)

K. Douglas Thornton

John M. Leiter

John W. Davidson

Byron L. Saintsing

Wesley P. Bryant

ATTORNEY(S) FOR THE DEFENDANT(S)

Suma De Sane, Deputy
CLERK OF COURT

Court Reporter: None

STATE OF SOUTH CAROLINA
 COUNTY OF GEORGETOWN
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2012-CP-22-934

Bonnie N. Charleton, *et al.*

PLAINTIFF(S)

South Bay Properties, LLC, *et al.*

DEFENDANT(S)

Submitted by: Benjamin H. Culbertson, Presiding Judge

Attorney for : Plaintiff Defendant
 or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
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- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

The Motion to Reconsider by the defendants John Steven Goodwin, Louise C. Goodwin, Gary E. Owens and Joyce M. Owens is DENIED. Even though the defendants have a pending Motion to Amend Answer so that they can assert counterclaims, the deadline for requesting a jury trial has expired and, therefore, the defendants have waived their right to a jury trial. See Rules 38(b) and 38(d), SCRPC. See also, King v. Shorter, 291 S.C. 501, 354 S.E.2d 402 (S.C.App.1987)

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

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N/A	N/A	\$ N/A

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Benjamin H. Culbertson

Benjamin H. Culbertson, Circuit Court Judge
 SCRPC Form 4C (12/2011)

2148
 Judge Code

February 22, 2013
 Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

Charles T. Smith

ATTORNEY(S) FOR THE PLAINTIFF(S)

K. Douglas Thornton

John M. Leiter

John W. Davidson

Byron L. Saintsing

Wesley P. Bryant

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter: None

STATE OF SOUTH CAROLINA

COUNTY OF GEORGETOWN

Bonnie N. Charlton, Ronald L. Charlton,
and Bayside Property, Inc.,

Plaintiffs,

vs.

South Bay Properties, LLC, Stantec
Consulting Services, Inc. f/k/a Trico
Engineering Consultants, Inc., Milone &
MacBroom, Inc., John Steven Goodwin,
Louise C. Goodwin, Thomas I. Puckett,
Brenda C. Puckett, Robert Nahama, Jeanne
E. Nahama, Thomas Holland Sharon Louise
Holland, Joyce K. Sobel, Robert W.
Waruszewski, Richard N. Taylor, Robert
K. Spillers (a/k/a Robert Spillers) Deborah
T. Spillers (a/k/a Deborah Spillers), Patrick
A. DiAngelo, Deborah A. DiAngelo, Gary
E. Owens, and Joyce M. Owens, Fount L.
Shults, Lynda M. Shults, Dennis Ridgeway,
Teresa Lynn Ridgeway and Georgetown
County Forfeited Land Commission,

Defendants.

IN THE COURT OF COMMON PLEAS

CASE NO.: 2012-CP-22-00934

EXHIBIT

C

ORDER OF REFERENCE

FILED
GEORGETOWN COUNTY, S.C.
2013 JAN 28 PM 3:43
ALMA Y. WHITE
CLERK OF COURT

This matter came before the Court on motion of Charles T. Smith, attorney for the Plaintiffs, for an Order of Reference. Present in opposition to the motion was K. Douglas Thornton, attorney for the Defendants John Steven Goodwin, Louise C. Goodwin, Gary E. Owens and Joyce M. Owens.

This is an action to foreclose a mortgage on real property located in Georgetown County, South Carolina. The Complaint alleges that the Defendant South Bay Properties, LLC made, executed and delivered a promissory note and purchase money mortgage to the Plaintiffs in

September of 2007. South Bay Properties, LLC then created and marketed a development known as Harbor Club on Winyah Bay. Although some of the lots were sold, South Bay Properties, LLC defaulted on the payments due on the promissory note and mortgage and this action seeks to foreclose the mortgage on the lots not sold by South Bay Properties, LLC.

The Defendants Stantec Consulting Services, Inc. f/k/a Trico Engineering Consultants, Inc., Milone & MacBroom, Inc., and Georgetown County Forfeited Land Commission signed consents to an Order of Reference which are filed herein. The Defendants John Steven Goodwin, Louise C. Goodwin, Gary E. Owens, Joyce M. Owens, Patrick A. DiAngelo and Deborah A. DiAngelo answered the Complaint by way of a qualified denial and did not request a jury trial. The Defendants South Bay Properties, LLC, Thomas I. Puckett, Brenda C. Puckett, Robert Nahama, Jeanne E. Nahama, Thomas Holland Sharon Louise Holland, Joyce K. Sobel, Robert W. Waruszewskiu, Richard N. Taylor, Robert K. Spillers (a/k/a Robert Spillers, Deborah T. Spillers (a/k/a Deborah Spillers), Fount L. Shults, Lynda M. Shults, Dennis Ridgeway, Teresa Lynn Ridgeway have not answered or otherwise plead to the Complaint and are in default.

On the day of the motion hearing the Defendants John Steven Goodwin, Louise C. Goodwin, Gary E. Owens and Joyce M. Owens filed and served Motions to Amend their Answer, and to Reinstate and Consolidate their prior action (C/A No. 2009-CP-22-1045), with the present action. Since the time required by Rule 6(d), SCRCF, had not run, these Motions were not considered by the undersigned. The Goodwins' and Owens' Motion to Amend may be considered by the Master in Equity. Based upon the present pleadings in this action, it appears that this is a proper matter to refer to the Honorable Joe M. Crosby, as Master in Equity for Georgetown County;


NOW, THEREFORE:

IT IS ORDERED that the Defendants South Bay Properties, LLC, Thomas I. Puckett, Brenda C. Puckett, Robert Nahama, Jeanne E. Nahama, Thomas Holland Sharon Louise Holland, Joyce K. Sobel, Robert W. Waruszewskiu, Richard N. Taylor, Robert K. Spillers (a/k/a Robert Spillers, Deborah T. Spillers (a/k/a Deborah Spillers), Fount L. Shults, Lynda M. Shults, Dennis Ridgeway, Teresa Lynn Ridgeway are in default for failure to plead or otherwise make an appearance within the time prescribed by statute.

IT IS FURTHER ORDERED that the above entitled cause be and the same is hereby referred to the Honorable Joe M. Crosby as Master in Equity for Georgetown County, to take the testimony arising under the pleadings and to make his findings of fact and conclusions of law with authority to enter a final judgment in the cause with any appeal directly to the South Carolina Supreme Court. Nothing herein should be construed as a ruling on the Defendants' Goodwin and Owens recently filed Motions referred to above. These Motions are to be heard and ruled upon by the appropriate Court.

Georgetown, South Carolina

January 28, 2013


Resident Judge,
Fifteenth Judicial Circuit

Case: 112513
Date: 1/25/13
Joe M. Crosby
Master-in-Equity for Georgetown County