

# LESEMANN & ASSOCIATES LLC

CIVIL LITIGATION | BUSINESS DISPUTES

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**RECEIVED**  
**Jun 02 2022**  
**SC Court of Appeals**

June 2, 2022

**VIA E-FILING**

Ms. Julie Armstrong  
Charleston County Clerk of Court  
100 Broad Street  
Charleston, SC 29401

Re: *Holland Family Trust, et al. v. Ascension Air Management, Inc., et al.*  
Case No.: 2020-CP-10-0825

Dear Ms. Armstrong:

Enclosed for filing please find the Plaintiffs' Amended Notice of Appeal of the following orders signed by The Honorable Mikell R. Scarborough:

- (i) March 18, 2022 Order Granting CLBD's Motion for Partial Summary Judgment and Denying in Part Appellant's and Sutlive's Motion for Partial Summary Judgment;
- (ii) March 18, 2022 Order Regarding Lien Priorities; and
- (iii) April 21, 2022 Order Denying Rule 59(e) Motions.

Also enclosed is the Proof of Service of the Amended Notice of Appeal in the above-referenced matter.

With best regards,

*s/ Ellis*

Ellis R. Lesemann

ERL/agc  
Enclosure

cc: Justin O'Toole Lucey, Esquire (w/ encl.)  
Dabny Lynn, Esquire (w/ encl.)  
Ian McVey, Esquire (w/ encl.)  
Robert P. Mangum, Esquire (w/ encl.)

THE STATE OF SOUTH CAROLINA  
In the South Carolina Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas for the Ninth Judicial Circuit

The Honorable Mikell R. Scarborough, Master-in-Equity

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Civil Action Case No.: 2020-CP-10-00825  
Appellate Case No.: 2022-000713

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MMT, LLC, and The Holland Family Trust, by and through its Trustee, Mason Holland, Appellants/Plaintiffs,

v.

Sutlive Aviation, LLC and CLBD Real Estate Holdings, LLC, Respondents/Defendants.

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**AMENDED NOTICE OF APPEAL**

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MMT, LLC, and The Holland Family Trust, by and through its Trustee, Mason Holland (“Appellants”) hereby respectfully submits their Amended Notice of Appeal of the following Orders of The Honorable Mikell R. Scarborough: (i) March 18, 2022 Order Granting CLBD’s Motion for Partial Summary Judgment and Denying in Part Appellant’s and Sutlive’s Motion for Partial Summary Judgment; (ii) March 18, 2022 Order Regarding Lien Priorities; and (iii) April 21, 2022 Order Denying Rule 59(e) Motions. These Orders are immediately appealable pursuant to S.C. Code Ann. § 14-3-330(1) and S.C. Code Ann. § 14-3-330(2). Appellant received notice of the April 21, 2022 Order Denying Rule 59(e) Motions on April 21, 2022. A copy of the Orders appealed are attached as Exhibit 1, Exhibit 2, and Exhibit 3.

By: s/Ellis R. Lesemann  
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June 2, 2022  
Charleston, South Carolina

*Attorneys for Appellants MMT, LLC, and The  
Holland Family Trust, by and through its Trustee,  
Mason Holland*

**COUNSEL OF RECORD:**

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*and*

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*Attorneys for Sutlive Aviation, LLC*

THE STATE OF SOUTH CAROLINA  
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APPEAL FROM CHARLESTON COUNTY  
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Civil Action Case No.: 2020-CP-10-00825  
Appellate Case No.: 2022-000713

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v.

Sutlive Aviation, LLC and CLBD Real Estate Holdings, LLC, Respondents/Defendants.

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**PROOF OF SERVICE**

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I certify that I have served the Amended Notice of Appeal of MMT, LLC, and The Holland Family Trust, by and through its Trustee, Mason Holland, dated June 2, 2022, on all counsel of record at the primary e-mail address listed in the Attorney Information System (AIS) on June 2, 2022. A copy of the email is attached to this Proof of Service as Exhibit A.

LESEMANN & ASSOCIATES LLC

By: 

Ann G. Cunniffe, Paralegal  
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*and*

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***Attorneys for Sutlive Aviation, LLC***

**EXHIBIT A**

*Email to counsel enclosing Amended Notice of Appeal*

**From:** [Ann G. Cunniffe](#)  
**To:** ["dlynn@lucy-law.com"](#); ["jlucy@lucy-law.com"](#); [Robert P](#); [Ian D.](#)  
**Cc:** [Elis Lesemann](#); [Benjamin Joyce](#); ["kshernoff@lucy-law.com"](#); ["CGatlin@turnerpadget.com"](#); [Ashley Leighty](#)  
**Subject:** Amended Notice of Appeal in MMT, LLC and The Holland Family Trust v. Sutlive Aviation, LLC and CLBD Real Estate Holdings, LLC., Civil Action No. 2020-CP-10-00825, Appellate Case No. 2022-000713  
**Date:** Thursday, June 2, 2022 3:09:00 PM  
**Attachments:** [Amended Notice of Appeal with Exhibits attached.pdf](#)

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Good afternoon.

Attached please find Plaintiffs' Amended Notice of Appeal in the above-referenced matter that we will be filing with the SC Court of Appeals this afternoon.

Please contact us with any questions or concerns about the attached.

Sincerely,

Ann

Ann G. Cunniffe  
Paralegal  
**Lesemann & Associates LLC**  
418 King Street, Suite 301  
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