UNITED STATES BANKRUPTCY COURT DISTRICT OF SOUTH CAROLINA

| IN RE: | | BK Case No. 20-02092-hb | |
|---|-----------------------|---------------------------------------|--|
| Foxwood Hills Property Inc., | Owners Association,) | Chapter 11 | |
| Ι | Debtor. | | |
| Foxwood Hills Property Owners Association,) Inc., Plaintiff,) | | Adversary Proceeding No.: 20-80049-hb | |
| VS. |) | | |
| 783-C, LLC, et al., |) | | |
| | Defendants.) | | |

SUGGESTION OF DEATH UPON THE RECORD UNDER RULE 25(a)

The undersigned hereby gives notice and suggests upon the record, pursuant to Rule 25(a) of the Federal Rules of Civil Procedure, the death of James Perry Kimball, a creditor of the Debtor and Defendant in the respective above-captioned actions, on March 1, 2017, as evidenced by his Death Certification, redacted in compliance with Bankruptcy Rule 9037 and attached hereto as Exhibit A. Information regarding his death was communicated to Debtor / Plaintiff Foxwood Hills Property Owners Association, Inc., on or before June 29, 2020.

RESPECTFULLY SUBMITTED on this 14th day of August, 2020, at Columbia, South Carolina.

BY: /s/ Teri L. Callen
Teri L. Callen (Fed. I.D. No. 6676)
3447 Blossom Street
Columbia, SC 29205
(803) 521-6848
Teri.Callen@outlook.com
Attorney for James Perry Kimball and Sheri Snyder
Kimball, Personal Representative, Estate of James
Perry Kimball

EXHIBIT A DEATH CERTIFICATION

STATE OF SOUTH CAROLINA

DEATH CERTIFICATION

STATE FILE NUMBER: 139-17-008377

DECEDENT'S NAME: *JAMES PERRY KIMBALL*

AKA's: NA ARMED FORCES: YES

DATE OF BIRTH:

TYPE OF PLACE OF DEATH: DECEDENT'S HOME

NAME AND ADDRESS OF PLACE OF DEATH: 158 SECLUSION COURT, LEXINGTON, SC 29072-9364 PLACE OF DISPOSITION: GREENLAWN MEMORIAL PARK

DISPOSITION LOCATION: COLUMBIA, SOUTH CAROLINA

METHOD OF DISPOSITION: BURIAL

DECEDENT'S RESIDENCE: 158 SECLUSION COURT, LEXINGTON, LEXINGTON COUNTY, SC, 29072-9364

PLACE OF BIRTH: VIRGINIA

MARITAL STATUS: MARRIED

MANNER OF DEATH: NATURAL

AUTOPSY AVAILABLE? NA

INJURY AT WORK? NA

RELATIONSHIP: WIFE

SOCIAL SECURITY NUMBER:

COUNTY OF DEATH: LEXINGTON

SEX: MALE

AGE: 78 YEARS

SURVIVING SPOUSE'S NAME: SHERI'S SNYDER

FATHER'S NAME: JAMES KIMBALL

MOTHER'S NAME PRIOR TO FIRST MARRIAGE: DOROTHY PERRY

INFORMANT'S NAME: SHERI S KIMBALL

MAILING ADDRESS: 158 SECLUSION COURT, LEXINGTON, SC, 29072-9364

FUNERAL HOME: CAUGHMAN-HARMAN FUNERAL HOME - LEXINGTON, 503 NORTH LAKE DR., LEXINGTON, SC, 29072 LICENSE NUMBER: 1923

FUNERAL DIRECTOR: STEPHEN T. CAUGHMAN

LICENSE NUMBER: 1735 EMBALMER'S NAME: WESTON M SHEALY

ACTUAL OR PRESUMED DATE OF DEATH: MARCH 01, 2017

ACTUAL OR PRESUMED TIME OF DEATH: 0000

CAUSE OF DEATH - PART I

PROBABLE MYOCARDIAL INFARCTION

OTHER SIGNIFICANT CONDITIONS - PART II:

CORONER CONTACTED? YES DATE OF INJURY: NA

PLACE OF INJURY: NA LOCATION OF INJURY: NA HOW THE INJURY OCCURRED?

CERTIFIER NAME AND TITLE: CORONER MARGARET W. FISHER

CERTIFIER'S ADDRESS: 117 DUFFIE DRIVE, LEXINGTON, SC, 29072

DATE FILED: MARCH 08, 2017 DATE OF ISSUANCE: MARCH 08, 2017 SPECIAL INSTRUCTIONS:

LICENSE NUMBER: NA

SC05844386

This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and

AUTOPSY PERFORMED? NO

TIME OF INJURY: NA

Environmental Control.

Catherine E. Heigel

Director and State Registrar

Shae R. Sutton Assistant State Registrar

This is watermarked paper. Do not accept without noting watermark. Hold to light to verify watermark.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE AND AREA OF THE A

Revision Date: 07/31/2015



UNITED STATES BANKRUPTCY COURT DISTRICT OF SOUTH CAROLINA

| IN RE: |) | BK Case No. 20-02092-hb |
|-------------------------------|-------------------------|---------------------------|
| Foxwood Hills Property (Inc., | Owners Association,)) | Chapter 11 |
| D. | ebtor. | |
| |) | |
| Foxwood Hills Property | Owners Association,) | |
| Inc., |) | Adversary Proceeding No.: |
| | Plaintiff,) | 20-80049-hb |
| |) | |
| VS. |) | |
| |) | |
| 783-C, LLC, et al., |) | |
| |) | |
| | Defendants.) | |

CERTIFICATE OF SERVICE

I certify that the SUGGESTION OF DEATH UPON THE RECORD UNDER RULE 25(a) on behalf of Creditor and Defendant James Perry Kimball in the respective above-captioned actions was filed electronically in accordance with U.S. Bankruptcy Court, District of South Carolina, Local Rule 9036-1(a) and was served electronically on those entities having properly registered for such electronic service. Entities not registered for electronic service have been served by depositing a copy thereof in the United States mail, postage pre-paid:

Foxwood Hills Property Owners Association, Inc.

800 Hickory Trail Westminster, SC 29693

Kyle A. Brannon: kbrannon@nexsenpruet.com

Julio E. Mendoza, Jr.: remendoza@nexsenpruet.com

Nexsen Pruet, LLC

1230 Main Street, Suite 700

Columbia, SC 29201 Attorneys for Plaintiff

Linda Barr: linda.k.barr@usdoj.gov

Chapter 11 Trustee

US Trustee: <u>USTPRegion04.CO.ECF@usdoj.gov</u>

US Trustee's Office Strom Thurmond Federal Building 1835 Assembly St., Suite 953 Columbia, SC 29201 BY: /s/ Teri L. Callen

Teri L. Callen (Fed. I.D. No. 6676) 3447 Blossom Street Columbia, SC 29205

(803) 521-6848

Teri.Callen@outlook.com

Attorney for James Perry Kimball and Sheri Snyder Kimball, Personal Representative, Estate of James Perry Kimball

August 14, 2020