

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA**

Case No. 12-01220

**ORDER APPROVING DEBTOR'S OBJECTION  
TO THE ALLOWANCE OF CLAIM NO. 1044 FILED BY TIMOTHY P. CHERRY**

The relief set forth on the following pages, for a total of 4 pages including this page, is hereby ORDERED.

**FILED BY THE COURT  
05/15/2013**



Entered: 05/16/2013

A handwritten signature in cursive script that reads "John E. Waites". The signature is written in black ink and is positioned above the printed name of the judge.

US Bankruptcy Judge  
District of South Carolina

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA**

**IN RE:**

**CCHG Liquidation Co.,**

**Debtor**

**CHAPTER 11**

**Case No. 12-01220**

**Substantively Consolidated**

**CCHG Liquidation Co.,**

**Movant,**

**v.**

**Contested Matter**

**Timothy P. Cherry, - Claim No. 1044**

**Respondent**

**ORDER APPROVING DEBTOR'S OBJECTION  
TO THE ALLOWANCE OF CLAIM NO. 1044 FILED BY TIMOTHY P. CHERRY**

Upon the Objection [Docket Entry # 904] (the "Objection") of CCHG Liquidation Co., the above-captioned substantively consolidated debtor (the "Debtor"), requesting the entry of an order disallowing a claim filed by Timothy P. Cherry in the chapter 11 cases of The Cliffs Club & Hospitality Group, Inc. and its affiliated debtors;<sup>1</sup> the Court having jurisdiction to

<sup>1</sup> The debtors (now substantively consolidated as the single Debtor), followed by the last four digits of their respective taxpayer identification numbers and chapter 11 case numbers, are as follows: The Cliffs Club & Hospitality Group, Inc. n/k/a CCHG Liquidation Co. (6338) (12-01220); CCHG Holdings, Inc. (1356) (12-01223); The Cliffs at Mountain Park Golf & Country Club, LLC n/k/a CCHG Liquidation Co. II, LLC (2842) (12-01225); The Cliffs at Keowee Vineyards Golf & Country Club, LLC n/k/a CCHG Liquidation Co. III, LLC (5319) (12-01226); The Cliffs at Walnut Cove Golf & Country Club, LLC n/k/a CCHG Liquidation Co. IV, LLC (9879) (12-01227); The Cliffs at Keowee Falls Golf & Country Club, LLC n/k/a CCHG Liquidation Co. V, LLC (3230) (12-01229); The Cliffs at Keowee Springs Golf & Country Club, LLC n/k/a CCHG Liquidation Co. VI, LLC (2898) (12-01230); The Cliffs at High Carolina Golf & Country Club, LLC n/k/a CCHG Liquidation Co. VII, LLC (7576) (12-01231); The Cliffs at Glassy Golf & Country Club, LLC n/k/a CCHG Liquidation Co. VIII, LLC (6559) (12-

*(footnote continued on next page)*

consider the Objection and the relief requested therein; due notice of the Objection and opportunity for a hearing thereon having been given to all parties entitled thereto, as listed in the certificate of service attached to the Objection and filed with the Court; it appearing that no other or further notice need be provided; the deadline to respond to the Objection having passed, and no objections having been filed or asserted; the Court having determined that the relief sought in the Objection is in the best interests of the Debtor's substantively consolidated bankruptcy estate, its creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED as follows:

1. The Objection is GRANTED.
2. Claim number 1044 filed by Timothy P. Cherry in the debtors' bankruptcy cases is disallowed because the record before the Court reflects that such claim is unenforceable against the debtors as a speculative, contingent and unliquidated claim.
3. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

AND IT IS SO ORDERED.

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*(footnote continued from previous page)*

01234); The Cliffs Valley Golf & Country Club, LLC n/k/a CCHG Liquidation Co. IX, LLC (6486) (12-01236); and Cliffs Club & Hospitality Service Company, LLC n/k/a CCHG Liquidation Co. X, LLC (9665) (12-01237).

**PREPARED AND PRESENTED BY:**

/s/ Däna Wilkinson  
Däna Wilkinson  
District Court I.D. No. 4663  
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-and-

/s/ Gary W. Marsh  
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J. Michael Levensgood  
Georgia Bar No. 447934  
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*Counsel for the Debtor*

In re:  
CCHG Liquidation Co.  
Debtor

Case No. 12-01220-jw  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0420-7

User: lee  
Form ID: pdf01

Page 1 of 3  
Total Noticed: 2

Date Rcvd: May 16, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 18, 2013.

db +CCHG Liquidation Co., 3598 Highway 11, Travelers Rest, SC 29690-3598  
aty +Gary W Marsh, McKenna Long & Aldridge LLP, 303 Peachtree Street NE, Suite 5300,  
Atlanta, GA 30308-3265

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

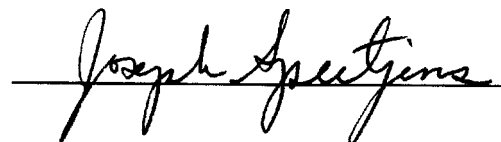
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 18, 2013

Signature:



District/off: 0420-7

User: lee  
Form ID: pdf01

Page 2 of 3  
Total Noticed: 2

Date Rcvd: May 16, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 16, 2013 at the address(es) listed below:

A. Todd Darwin on behalf of Creditor Medalist Golf, Inc. tdarwin@holcombebomar.com, rmitchell@holcombebomar.com  
A. Todd Darwin on behalf of Creditor Golf Agronomics Sand & Hauling, Inc. tdarwin@holcombebomar.com, rmitchell@holcombebomar.com  
A. Todd Darwin on behalf of Creditor Georgia Bridge & Dock, Inc. tdarwin@holcombebomar.com, rmitchell@holcombebomar.com  
B. Lindsay Crawford, III on behalf of Creditor Rodolfo Stern and Tania Stern wayne@crawfordvk.com, lindsay@crawfordvk.com  
B. Lindsay Crawford, III on behalf of Creditor Regions Bank wayne@crawfordvk.com, lindsay@crawfordvk.com  
BMC Group, Inc. bmc-cliffs@bmcgroup.com  
Barbara George Barton on behalf of Creditor Daniel & Catherine Goldberg bbarton@bartonlawsc.com, cbrimm@bartonlawsc.com; afloyd@bartonlawsc.com; khandrock@bartonlawsc.com; phunt@bartonlawsc.com  
Bryan E. Bates on behalf of Debtor CCHG Liquidation Co. bbates@mckennalong.com, krohling@mckennalong.com  
Charles W Azano on behalf of Creditor Wells Fargo Bank, National Association cwazano@mintz.com  
Constance L. Young on behalf of Creditor Wetland and Natural Resource Consultants, Inc. cyoung@jahlaw.com, cmorrow@jahlaw.com  
Dana Elizabeth Wilkinson on behalf of Debtor CCHG Holdings, Inc. danawilkinson@charter.net, dwecfmail@gmail.com  
Dana Elizabeth Wilkinson on behalf of Other Prof. Katie S. Goodman, Liquidation Trustee danawilkinson@charter.net, dwecfmail@gmail.com  
Dana Elizabeth Wilkinson on behalf of Debtor CCHG Liquidation Co. danawilkinson@charter.net, dwecfmail@gmail.com  
Dana Elizabeth Wilkinson on behalf of Plaintiff Katie S. Goodman, Liquidation Trustee of CCHG Liquidation Co. danawilkinson@charter.net, dwecfmail@gmail.com  
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James W. Sheedy on behalf of Creditor GE Capital jimsheedy@driscollsheedy.com, sdriscoll@driscollsheedy.com  
Jane H. Downey on behalf of Creditor William & Flonnie Shaw jane@mttlaw.com, jessica@mttlaw.com; corey@mttlaw.com  
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John B. Butler, III on behalf of Creditor Cliffs Members AD Hoc Group, Inc. jbbiii@bellsouth.net  
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Jonathan B Alter on behalf of Interested Party Unsecured Creditors Committee jonathan.alter@bingham.com, linda.miller@bingham.com  
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Julio E. Mendoza, Jr. on behalf of Interested Party Steve & Penny Carlile rmendoza@nexsenpruet.com, ecf@nexsenpruet.com  
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Malinda McAleer Pennington on behalf of Creditor Hawkins Nursery nef@mcaleerpennington.com  
Michael Kevin McCarrell on behalf of Creditor Helena Chemical Company kevin.mccarrell@smithmoorelaw.com, betty.ward@smithmoorelaw.com; kim.harmstad@smithmoorelaw.com  
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Nancy E. Johnson on behalf of Creditor NewLife Turf, Inc. nej@njohnson-bankruptcy.com, notices4nej@njohnson-bankruptcy.com

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Form ID: pdf01

Page 3 of 3  
Total Noticed: 2

Date Rcvd: May 16, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

R. Geoffrey Levy on behalf of Interested Party Keowee Falls Investment Group, LLC, A Corporation llfecf@levylawfirm.org, levylawecf@gmail.com, whitney@levylawfirm.org  
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William L Rothschild on behalf of Interested Party Steve & Penny Carlile br@orrem.com  
William L Rothschild on behalf of Interested Party SP 50 Investments, Ltd. br@orrem.com  
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