

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

Case No. 12-01220

**ORDER APPROVING DEBTOR'S AMENDED OBJECTION TO ALLOWANCE OF
CLAIM NUMBER 1328 FILED BY RICHARD HEADLEY**

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

**FILED BY THE COURT
06/06/2013**



Entered: 06/07/2013

A handwritten signature in cursive script, reading "John E. Waites". The signature is written in black ink and is positioned above the printed name and title.

US Bankruptcy Judge
District of South Carolina

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

IN RE:

CCHG Liquidation Co.,

Debtor

CCHG Liquidation Co.,

Movant,

v.

Richard Headley, - Claim No. 1328

Respondent

CHAPTER 11

Case No. 12-01220

Substantively Consolidated

Contested Matter

**ORDER APPROVING DEBTOR'S AMENDED OBJECTION TO ALLOWANCE OF
CLAIM NUMBER 1328 FILED BY RICHARD HEADLEY**

Upon the Objection [Docket Entry # 1017] (the "Objection") of CCHG Liquidation Co., the above-captioned substantively consolidated debtor (the "Debtor"), requesting the entry of an order disallowing, as filed, claim number 1328 filed by Richard Headley in the chapter 11 cases of The Cliffs Club & Hospitality Group, Inc. and its affiliated debtors;¹ the Court having jurisdiction to consider the Objection and the relief requested therein; a hearing having been held

¹ 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) (12-01234); 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).

on June 3, 2013 to consider the Objection; due notice of the Objection and hearing 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; Mr. Headley having filed an objection [Docket Entry # 790] to the Debtor's original objection to his claim, but Mr. Headley having failed to: (i) file any response to the amended Objection; or (ii) attend the hearing held on the Objection; no other objections having been filed or asserted to the Objection; 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 1328 filed by Richard Headley is disallowed as filed, and is instead hereby allowed in the total amount of \$100,000.00 as a Class 7 Club Member Claim (as defined in the confirmed First Amended and Restated Joint Chapter 11 Plan filed by the Debtors and the Plan Sponsor dated June 30, 2012, as amended [Docket Entry No. 616, Ex. A] (the "Plan")), because the record before this Court reflects that Mr. Headley is entitled only to a \$100,000.00 Class 7 Club Member Claim, and nothing in the record before this Court reflects that Mr. Headley is entitled to either a secured claim or a priority claim against the debtors. The treatment and satisfaction of Mr. Headley's allowed claim shall be governed by the provisions of the Plan relating to the treatment and satisfaction of Class 7 claims.
3. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

AND IT IS SO ORDERED.

PREPARED AND PRESENTED BY:

/s/ Däna Wilkinson
Däna Wilkinson
District Court I.D. No. 4663
LAW OFFICE OF DÄNA WILKINSON
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-and-

/s/ Gary W. Marsh
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Georgia Bar No. 471290
J. Michael Levensgood
Georgia Bar No. 447934
Bryan E. Bates
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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: brooks
Form ID: pdf01

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Total Noticed: 2

Date Rcvd: Jun 07, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 09, 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: Jun 09, 2013

Signature:



District/off: 0420-7

User: brooks
Form ID: pdf01

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Total Noticed: 2

Date Rcvd: Jun 07, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 7, 2013 at the address(es) listed below:

A. Todd Darwin on behalf of Creditor Medalist Golf, Inc. tdarwin@holcombebomar.com, rmittchell@holcombebomar.com
A. Todd Darwin on behalf of Creditor Golf Agronomics Sand & Hauling, Inc. tdarwin@holcombebomar.com, rmittchell@holcombebomar.com
A. Todd Darwin on behalf of Creditor Georgia Bridge & Dock, Inc. tdarwin@holcombebomar.com, rmittchell@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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Eugene B. McLeod, III on behalf of Creditor South Carolina Department of Employment and Workforce tmcleod@dew.sc.gov, aproveaux@dew.sc.gov
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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
John B. Butler, III on behalf of Interested Party Unsecured Creditors Committee jbbiii@bellsouth.net
John B. Butler, III on behalf of Creditor Cliffs Members AD Hoc Group, Inc. jbbiii@bellsouth.net
John M. Levensgood on behalf of Debtor CCHG Liquidation Co. mlevengood@mckennalong.com, sbrooks@mckennalong.com; gmarsh@mckennalong.com; bbates@mckennalong.com
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Julio E. Mendoza, Jr. on behalf of Interested Party Steve & Penny Carlile rmendoza@nexsenpruet.com, ecf@nexsenpruet.com
Julio E. Mendoza, Jr. on behalf of Interested Party Carlile Development Company, LLC rmendoza@nexsenpruet.com, ecf@nexsenpruet.com
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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

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Date Rcvd: Jun 07, 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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Randy A. Skinner on behalf of Interested Party James B Anthony main@skinnerlawfirm.com, amy@skinnerlawfirm.com, candis@skinnerlawfirm.com; karen@skinnerlawfirm.com, jward@skinnerlawfirm.com
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Robert P. Wood on behalf of Creditor T.J.F. Golf, Inc. wood@rtt-law.com, sheri.mcclendon@rtt-law.com
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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
TOTAL: 62