

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

Case No. 12-01220

**CONSENT ORDER GRANTING DEBTORS' OBJECTION TO THE ALLOWANCE OF  
CLAIM NO. 396 FILED BY HD SUPPLY WATERWORKS, LTD.  
AS DUPLICATIVE OF CLAIM NO. 54**

The relief set forth on the following pages, for a total of 5 pages including this page, is hereby **ORDERED**.

**FILED BY THE COURT  
08/24/2012**



Entered: 08/27/2012

Chief US Bankruptcy Judge  
District of South Carolina

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

**In re:**

**The Cliffs Club & Hospitality Group, Inc., *et al.*,<sup>1</sup> d/b/a The Cliffs Golf & Country Club,**

**Debtors.**

**The Cliffs at Mountain Park Golf & Country Club, LLC**

**Movant,**

**v.**

**HD Supply Waterworks, Ltd.,**

**Respondent**

**CHAPTER 11**

**Case No. 12-01220**

**Jointly Administered**

**Contested Matter**

**CONSENT ORDER GRANTING DEBTORS' OBJECTION TO THE ALLOWANCE OF  
CLAIM NO. 396 FILED BY HD SUPPLY WATERWORKS, LTD.  
AS DUPLICATIVE OF CLAIM NO. 54**

Upon the Objection (Docket Entry # 549) (the "Objection") of The Cliffs at Mountain Park Golf & Country Club, LLC, one of the jointly administered debtors (the "Debtors"), requesting the entry of an order disallowing as duplicative Claim No. 396 filed by HD Supply Waterworks, Ltd. ("Claimant"), the Court having jurisdiction to consider the Objection and the

<sup>1</sup> The Debtors, 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. (6338) (12-01220); CCHG Holdings, Inc. (1356) (12-01223); The Cliffs at Mountain Park Golf & Country Club, LLC (2842) (12-01225); The Cliffs at Keowee Vineyards Golf & Country Club, LLC (5319) (12-01226); The Cliffs at Walnut Cove Golf & Country Club, LLC (9879) (12-01227); The Cliffs at Keowee Falls Golf & Country Club, LLC (3230) (12-01229); The Cliffs at Keowee Springs Golf & Country Club, LLC (2898) (12-01230); The Cliffs at High Carolina Golf & Country Club, LLC (7576) (12-01231); The Cliffs at Glassy Golf & Country Club, LLC (6559) (12-01234); The Cliffs Valley Golf & Country Club, LLC (6486) (12-01236); and Cliffs Club & Hospitality Service Company, LLC (9665) (12-01237).

relief requested therein; due notice of the Objection and hearing having been given to all parties entitled thereto and all parties who have appeared in the case and requested notice, as listed in the certificate of service attached to Objection and filed with the Court; it appearing that no other or further notice need be provided; no objections having been filed or asserted and Claimant having consented to the relief requested herein, and the Court having determined that the relief sought in the Objection is in the best interests of the bankruptcy estates, their 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 396 filed by HD Supply Waterworks, Ltd. as a secured Mechanic's Lien claim in one of the above-styled cases is disallowed as duplicative of Claim No. 54.
3. Claim number 54 in the amount of \$66,071.61 (comprised of \$60,722.14 in principal, plus \$5,349.47 in fees and interest) filed as a secured Mechanic's Lien claim by HD Supply Waterworks, Ltd. is considered as the only claim of HD Supply Waterworks, Ltd. in these Chapter 11 cases.
4. The 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  
365-C East Blackstock Road  
Spartanburg, SC 29301  
864.574.7944 (Telephone)  
864.574.7531 (Facsimile)  
danawilkinson@danawilkinsonlaw.com

-and-

MCKENNA LONG & ALDRIDGE LLP

/s/ J. Michael Levengood  
Gary W. Marsh  
Georgia Bar No. 471290  
J. Michael Levengood  
Georgia Bar No. 447934  
Bryan E. Bates  
Georgia Bar No. 140856  
303 Peachtree Street, Suite 5300  
Atlanta, Georgia 30308  
404-527-4000 (phone)  
404-527-4198 (fax)  
gmarsh@mckennalong.com  
mlevengood@mckennalong.com  
bbates@mckennalong.com

*Counsel for the Debtors in Possession*

**CONSENTED TO BY:**

/s/ Thomas M. Gore  
Thomas M. Gore  
McCorkle & Johnson, LLP  
319 Tattnall Street  
Savannah, GA 31410

*Counsel for HD Supply Waterworks, Ltd.,  
Claimant*

- and -

/s/ Jonathan B. Alter  
Jonathan B. Alter  
Bingham McCutchen LLP  
One State Street  
Hartford, CT 06103-3178  
Ph : 860-240-2969  
Fax: 860-240-2800  
Eml: jonathan.alter@bingham.com

*Counsel to the Unsecured Creditors Committee*

ATLANTA:5401886.3

**Certificate of Notice Page 6 of 7**  
United States Bankruptcy Court  
District of South Carolina

In re:  
The Cliffs Club & Hospitality Group, Inc  
Debtor

Case No. 12-01220-jw  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0420-7

User: brooks  
Form ID: pdf01

Page 1 of 2  
Total Noticed: 3

Date Rcvd: Aug 27, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 29, 2012.

db +The Cliffs Club & Hospitality Group, Inc., 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  
+Thomas M. Gore, McCorkle & Johnson LLP, 319 Tattnall Street, Savannah, GA 31401-4343

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: Aug 29, 2012

Signature:



District/off: 0420-7

User: brooks  
Form ID: pdf01

Page 2 of 2  
Total Noticed: 3

Date Rcvd: Aug 27, 2012

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 27, 2012 at the address(es) listed below:

A. Todd Darwin on behalf of Creditor Georgia Bridge & Dock, Inc. tdarwin@holcombebomar.com, rmitchell@holcombebomar.com  
B. Lindsay Crawford on behalf of Creditor Rodolfo Stern and Tania Stern 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 The Cliffs Club & Hospitality Group, Inc. bbates@mckennalong.com, krohling@mckennalong.com  
Charles W Azano on behalf of Creditor Wells Fargo Bank, National Association cwazano@mintz.com  
Dana Elizabeth Wilkinson on behalf of Debtor CCHG Holdings, Inc. danawilkinson@charter.net, dweceffmail@gmail.com  
Daniel S Bleck on behalf of Creditor Wells Fargo Bank, National Association dsbleck@mintz.com  
Elizabeth J. Philp on behalf of Creditor Wells Fargo Bank, National Association lphilp@mcnair.net, rmobley@mcnair.net  
Fair Harbor Capital, LLC vknox.fh@verizon.net  
George L. Clauer on behalf of Creditor Ellis McCracken gc\_clauerlaw@bellsouth.net  
James E. Sterling on behalf of Attorney Daniel McCollum sterling@smithjordan.com  
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 on behalf of Creditor Cliffs Members AD Hoc Group, Inc. jbbiii@bellsouth.net  
John M. Levengood on behalf of Debtor The Cliffs Club & Hospitality Group, Inc. mlevengood@mckennalong.com, sbrooks@mckennalong.com; gmarsh@mckennalong.com; bbates@mckennalong.com  
Jonathan B Alter on behalf of Interested Party Unsecured Creditors Committee jonathan.alter@bingham.com, linda.miller@bingham.com  
Joseph F. Buzhardt on behalf of U.S. Trustee US Trustee's Office USTPRegion04.CO.ECF@usdoj.gov, robert.b.doyle@usdoj.gov  
Julio E. Mendoza on behalf of Interested Party Carlile Development Company, LLC rmendoza@nexsenpruet.com, ecf@nexsenpruet.com  
Linda Barr on behalf of U.S. Trustee US Trustee's Office linda.k.barr@usdoj.gov  
Louise M. Johnson on behalf of Creditor William and Elaine Clear cjohnson@hsblawfirm.com, cshaffer@hsblawfirm.com  
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  
Michael M. Beal on behalf of Creditor Wells Fargo Bank, National Association mbeal@mcnair.net, astokes@mcnair.net  
Nancy E. Johnson on behalf of Creditor NewLife Turf, Inc. nej@njohnson-bankruptcy.com, notices4nej@njohnson-bankruptcy.com  
R. Geoffrey Levy on behalf of Interested Party Keowee Falls Investment Group, LLC, A Corporation llfecf@levylawfirm.org, levylawecf@gmail.com, whitney@levylawfirm.org  
Randy A. Skinner on behalf of Interested Party James Anthony main@skinnerlawfirm.com, amy@skinnerlawfirm.com; candis@skinnerlawfirm.com; karen@skinnerlawfirm.com  
Ricoh Americas Corporation jennifer.orenstein@ricoh-usa.com  
Robert A. Kerr on behalf of Creditor Deere Credit Inc robertkerr@mvalaw.com, melissaaltman@mvalaw.com  
Rory D. Whelehan on behalf of Creditor Keowee Investment Properties, LLC rwhelehan@wcsr.com, kpedersoli@wcsr.com  
Tara E. Nauful on behalf of Creditor US Foods, Inc. tnauful@hsblawfirm.com, ccarter@hsblawfirm.com  
Thomas L. Ogburn on behalf of Creditor TCF Equipment Finance, Inc. togburn@poynerspruill.com, dfurr@poynerspruill.com  
Tobias G. Ward on behalf of Creditor Worthington Hyde Partners-II, L.P. tw@tobywardlaw.com  
Townes B. Johnson on behalf of Creditor Morgan Concrete Co. johnson@conlaw.com, moser@conlaw.com; townesjohnson@gmail.com  
US Trustee's Office USTPRegion04.CO.ECF@usdoj.gov  
William L Rothschild on behalf of Interested Party Carlile Development Company, LLC br@orrem.com

TOTAL: 36