

Thomas A. Korbutt, Carol I. Korbutt, Carolina First Bank, Parthenon Marble Products, Inc. and Powell Drywall Company, and with the Defendant, Passive Solar Group of Greenville, Inc. (a/k/a Passie Solar Group, Inc.) and Marine Midland Mortgage Servicing Corporation being in default, the above entitled action was referred to the undersigned for the purpose of taking testimony and determining all issues of law and fact with authority to enter a final judgment in said cause.

WJH
Pursuant to the Order of Reference, I held a reference on September 9, 1988 and took the testimony submitted herewith. The reference was attended by Wallace A. Mullinax, Jr., Esquire, of the law firm Horton, Drawdy, Ward & Johnson, P.A., attorneys of record for the Plaintiff in this matter. James W. Fayssoux, Esquire, of the law firm Anderson, Fayssoux & Chasteen represented the Defendants, Thomas A. Korbutt and Carol I. Korbutt, at the reference. Wallace K. Lightsey, Esquire, of the law firm Wyche, Burgee, Freeman & Parham, P.A. represented the Defendant, Carolina First Bank, at the reference. M. Thomas Webber, Jr., Esquire, of the Greenville County Bar represented Parthenon Marble Products, Inc. at the reference. Ronald W. McKinney, Esquire, of the law firm Edwards, Duggan, Reese & McKinney, P.A. represented Powell Drywall at the reference. Dave W. Awde was present at the reference on behalf of the Defendant, Passive Solar Group of Greenville, Inc. (a/k/a Passie Solar Group, Inc.) and was not represented by counsel.

D. Michael Greer, Vice-President of the Plaintiff, S. S. Smith Lumber Company, Inc., testified on behalf of the Plaintiff at the reference. The Defendant, Thomas A. Korbutt, also