

HOWELL, GIBSON AND HUGHES, P.A.  
ATTORNEYS AT LAW

Post Office Box 40  
Beaufort, South Carolina 29901-0040  
www.hghpa.com

STEPHEN P. HUGHES  
ROBERT W. ACHURCH III \*  
DAVID S. BLACK  
THOMAS A. BENDLE, JR.

WILLIAM H. COX, III  
NATHAN E. AKERS  
ROBERT S. DENNIS  
DYLAN C. KIDD

25 RUE DU BOIS  
LADY'S ISLAND  
BEAUFORT, SOUTH CAROLINA 29907

TELEPHONE: 843 – 522-2400  
FAX NUMBER: 843 – 522-2429  
WRITER'S DIRECT: 843-522-2410  
DIRECT E-MAIL: [wcox@hghpa.com](mailto:wcox@hghpa.com)  
PARALEGAL E-MAIL: [radkins@hghpa.com](mailto:radkins@hghpa.com)

\* Certified Mediator

November 22, 2022

VIA EMAIL ONLY

Hon. Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

Re: Builders FirstSource - Southeast Group, LLC v. Hurley Services, LLC  
Appellate Case No.: 2021-000290  
Our File No.: 12313 1 SPH

Dear Ms. Kitchings:

Pursuant to SCACR 208(b)(7), Appellant Builders FirstSource-Southeast Group, LLC respectfully submits this correspondence to the Court in response to Respondent Hurley Services, LLC's supplemental citation request.

Appellant agrees that the Court should consider Damico v. Lennar, Appellate Case No. 2020-001048. Specifically, Appellant directs the Court to those considerations articulated by the South Carolina Supreme Court on pages 20-21 of its September 14, 2022 opinion. Appellant notes that while Damico is entirely distinguishable from the facts of this matter, it nonetheless provides guidance to the Court and further supports reversal of the underlying Order on appeal. The Damico opinion is applicable to those issues discussed in Sections III and IV of Appellant's Final Initial Brief and Final Reply Brief.

I would appreciate your filing the above and returning a filed, clocked copy to me by email. Should you have any questions, please feel free to contact me.

With kindest regards, I am

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.

*s/ William H. Cox, III*

William H. Cox, III

WHC/whc

cc: All Counsel of Record

RECEIVED

Nov 22 2022

SC Court of Appeals