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November 21, 2022

RECEIVED

Nov 21 2022

SC Court of Appeals

VIA EMAIL ONLY

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

Re: The Retreat at Charleston National Country Club Home Owners Association, Inc., and The Retreat at Charleston National Country Club Horizontal Property Regime.....
Plaintiffs,

v.

Winston Carlyle Charleston National, LLC; Colin R. Campbell Construction, Inc.; Colin Campbell, individually; Builders FirstSource-Southeast Group, LLC; Builders FirstSource, Inc.; Americo Roofing Concepts, Inc.; DVS, Inc.; Advanced Building Connection, LLC; Guy C. Lee Building Materials, LLC; WS Contractors, LLC; Dino Schwartz, Individually; Charleston Exteriors, LLC; ECC Contracting, LLC; Hurley Services, LLC; McDaniel Construction Co., LLC; AC Construction Corp.; AC Construction, Inc.; L&G Construction Group, LLC; Liollo Architecture; JC Contractors, LLC; Soto & Vasquez Construction, LLC; Costa De Oliveira Construction, LLC; Solesmar Jesus De Oliveria; Wilson Lucas Sales d/b/a Miracle Siding; Miracle Siding, LLC; Royal Homes of SC, Inc.; Collen Batissa; Christopher Batissa; Norma Ferreira Bruno; Mendez Construction, LLC; Juan Garza Ramos, individually; Juan Garza Ramos d/b/a Juan Constructors; Jessica Marroquin, individually; Jessica Marroquin d/b/a Marroquin Construction; Carlos Marroquin, individually; Carlos Marroquin Construction; Carlos and Jessica Marroquin d/b/a Marroquin Construction; Feliciano Cruz Silva; Garcia Roofing, LLC; Givair De Caris; and Mario Salgado..... Defendants,

Builders FirstSource-Southeast Group, LLC.....Third-Party Plaintiff, Appellant,

v.

Pohlman Quality Contractors; Pohlman Quality Exteriors; Palmetto Trim and Renovation; Edward Bruce Witham; and East Coast Carpentry.....Third-Party Defendants,

Of which Palmetto Trim and Renovation; Hurley Services, LLC; ECC Contracting, LLC; East Coast Carpentry; AC Construction, Inc.; WS Contractors, LLC; Pohlman Quality Exteriors, Inc.; and L&G Construction Group, LLC are theRespondents.

Appellate Case No.:2021-001050

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 Respondents Pohlman Quality Exteriors, Inc.'s and Hurley Services, LLC's supplemental citation requests.

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. The Damico opinion is applicable to those issues discussed in Sections IV and V of Appellant's Final Initial Brief and Final Reply Brief. Appellant directs the Court's attention to pages 26-27 of its Final Reply Brief and 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 Orders on appeal.

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