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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge
Civil Action No. 2016-CP-10-03758

Appellate Case No. 2021-001050

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.; CollenBatissa; 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; 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 the Respondents.

CONSENT MOTION TO SUPPLEMENT THE RECORD ON APPEAL

Respondent WS Contractors LLC, hereby moves to Supplement the Record on Appeal. The following documents are submitted herewith as an Appendix to the Record on Appeal:

- McDaniel Construction, Co., LLC’s Notice of Motion and Motion for Summary Judgment on Defendant Builders FirstSource-Southeast Group, LLC’s Crossclaims filed September 13, 2019, pp. 1532-1537;
- McDaniel Construction, Co., LLC’s Supplemental Memorandum in Support of Its Motion for Summary Judgment filed April 22, 2020, pp. 1538-1547;
- Builders FirstSource-Southeast Group, LLC’s Memorandum in Opposition to McDaniel Construction Co.’s Motion for Summary Judgment filed December 11, 2020, pp. 1548-1566.
- McDaniel Construction Co., LLC’s Supplemental Memorandum in Support of Its Motion for Summary Judgment filed April 22, 2020, pp. 1567-1600; and
- Form 4 Order Granting Defendant McDaniel Construction Co, LLC’s Motion for Summary Judgment signed on December 17, 2020, pp. 1601-1603.

Respectfully submitted,

s/Jennifer S. Ivey

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December 2, 2022
Charleston, South Carolina

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December 2, 2022
Beaufort, South Carolina

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THE STATE OF SOUTH CAROLINA
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APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge
Civil Action No. 2016-CP-10-03738

Appellate Case No. 2021-001050

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.; CollenBatissa; 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; 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 the Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on **December 2, 2022**, copies of **Consent Motion to Supplement the Record on Appeal, Final Brief of Respondent WS Contractors, LLC Supplemental Record on Appeal** were served on all counsel of record, by Electronic Mail Only, to counsels' last known email address.

s/Jennifer S. Ivey

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December 2, 2022

Hon. Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
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SC Court of Appeals

Re: Builders FirstSource-Southeast Group, LLC v. Palmetto Trim and Renovation.
Appellate Case No. 2021-001050

Dear Ms. Kitchings:

Enclosed please find Respondent WS Contractors, LLC's Final Brief and Consent Motion to Supplement the Record on Appeal and Proof of Service. In the event the Consent Motion to Supplement the Record on Appeal is granted, I have enclosed the original and one copy of the Supplemental Record on Appeal, Certificate of Counsel, and Proof of Service in the above referenced matter.

By copy to opposing counsel I am notifying them of this request. I have enclosed our firm's check for \$50.

Thank you for your assistance.

Sincerely,

WALKER GRESSETTE & LINTON, LLC

Jennifer S. Ivey

Enclosure (Check)

cc:

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December 2, 2022

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