

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Jan 10 2023

S.C. SUPREME COURT

APPEAL FROM BEAUFORT COUNTY  
COURT OF COMMON PLEAS  
THE HONORABLE BENTLEY D. PRICE  
CIRCUIT COURT JUDGE

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APPELLATE CASE NO. 2022-001719  
CASE NO. 2019-CP-07-02629

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Margaret A. Eberly and Barbara J. Pavelik,

PLAINTIFFS,

versus

Advanced Flooring & Design Division of ISI, LLC; Archer  
Exteriors, Inc.; Crossroads Enterprises, LLC;  
D.R. Horton, Inc.; East Coast Construction Cleanup Corp.; Lather  
Landscapes, Inc.; Lather Construction SC, Inc.;  
Lather Construction, Inc.; Professional Drywall & Paint Services, LLC;  
Professional Exteriors II, LLC; and Valim Construction, LLC,

DEFENDANTS,

Of whom

D.R. Horton, Inc. is

APPELLANT,

versus

Hutton's Landscapes, Inc.; Lather Construction SC, Inc.; and  
Lather Construction, Inc.

RESPONDENTS.

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**Proof of Service**

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I certify that I have served **Lather Construction, Inc., and Lather Construction SC, Inc.'s Return to DR Horton, Inc.'s Petition for Writ of Certiorari**, by personally serving the same

pursuant to Rule 262 (c)(3), SCACR, and S.C. Supreme Ct. Order dated August 25, 2021 on the following counsel of record using the primary email address listed in the Attorney Information System (if applicable):

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A copy of the sent email is enclosed with this Certificate of Service.

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Mt. Pleasant, South Carolina

January 10, 2023.

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**Subject:** Appellate Case No.: 2022-001719 Eberly v. D.R. Horton et. al.  
**Date:** Tuesday, January 10, 2023 2:54:13 PM  
**Attachments:** [2023.01.10 Lather's Return to Petition for Writ.pdf](#)

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Counselors,

Attached please find served upon you today in compliance with the Supreme Court's Order dated May 6, 2022, Respondent Lather Construction, Inc., and Lather Construction SC, Inc.'s Return to the Petition for Writ of Certiorari in the above-referenced matter which we will be filing with the S.C. Supreme Court today.

Please let me know if you have any questions.

Thank you,

**Scott Winograd**

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*Admitted in SC, NC, & OH*

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*Please note our firm address change*

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