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Jan 20 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Benjamin Culbertson, Circuit Court Judge

Appellate Case No. 2022-000938

Denise M. Petersen, individually and as
Trustee of the Denise M. Petersen 2005
Revocable Trust Dated November 9, 2005,
as Trustee of the 601 Ocean Boulevard
Residence Trust Dated November 30, 2012,
and as Trustee of the 601 Ocean Boulevard
Residence Trust II Dated December 7, 2012,Respondent,

v.

DCTCL, L.P., d/b/a Buffington Homes, L.P.,
Donnix Construction, LLC, Hunt Brothers
Construction, Inc., Island Exteriors and
Siding, Inc., Plastering Surfaces, LLC, a
Unique Design, Inc., Berkeley Heating and
Air Conditioning, Inc., Energyone America,
LLC, Aqua Blue Pools of Charleston, Inc.,
Sunnyside Farms, Inc., TAMKO Building
Products, LLC, Haddigan Electrical
Contractors, LLC and John Doe Contractors
3 through 50,Defendants,

Of Which

Donnix Construction, LLC, isRespondent,

And

TAMKO Building Products, LLC isAppellant.

MOTION FOR STAY

Richard H. Willis (SC Bar: 6159)
Ruth A Levy (SC Bar 103371)
John G. Tamasitis (SC Bar: 101875)
Derek D. Tarver (SC Bar: 103289)
WILLIAMS MULLEN
1230 Main Street, Suite 330
Columbia, SC 29201
(T): 803-567-4600
(F): 804-567-4601

*Attorneys for Appellant TAMKO
Building Products, LLC*

Pursuant to Rule 240, SCACR, Appellant TAMKO Building Products, LLC hereby moves this Court for an order holding this case in abeyance for sixty days, pending execution by the parties of a settlement agreement and dismissal of the appeal.

WILLIAMS MULLEN

By: s/ Richard H. Willis
Richard H. Willis (SC Bar: 6159)
rwillis@williamsmullen.com
Ruth A. Levy (SC Bar 103371)
rlevy@williamsmullen.com
John G. Tamasitis (SC Bar: 101875)
jtamasitis@williamsmullen.com
Derek D. Tarver (SC Bar: 103289)
dtarver@williamsmullen.com
1230 Main Street, Suite 330
Columbia, SC 29201
(T): 803-567-4600
(F): 804-567-4601

*Attorneys for Appellant TAMKO
Building Products, LLC*

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APPEAL FROM CHARLESTON COUNTY
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Benjamin Culbertson, Circuit Court Judge

Case No. 2021-CP-10-01973

Denise M. Petersen, individually and as
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Sunnyside Farms, Inc., TAMKO Building
Products, LLC, Haddigan Electrical
Contractors, LLC and John Doe Contractors
3 through 50,Defendants,

Of Whom

Donnix Construction, LLC, isRespondent,

And

TAMKO Building Products, LLC isAppellant.

PROOF OF SERVICE

The undersigned employee of the law offices of Williams Mullen, attorneys for Appellant TAMKO Building Products, LLC, does hereby certify that service of the Motion for Stay was made on all counsel of record, specified below, by electronically mailing a copy of the same to the following addresses:

THURMOND KIRCHNER & TIMBES, P.A.

Jesse A. Kirchner (SC Bar 70479)
T. Happel Scurry (SC Bar 76646)
15 Middle Atlantic Wharf
Charleston, SC 29401
(T): 843-937-8000
(F): 843-937-4200
jesse@tktlawyers.com
happel@tktlawyers.com
Attorneys for Plaintiff

RESNICK & LOUIS, P.C.

Patrick J. McDonald (SC Bar 16921)
Jessica W. Stratta (SC Bar 103958)
146 Fairchild Street, Suite 130
Charleston, South Carolina 29492
(T): 843-647-7114
pmdonald@rlattorneys.com
jstratt@rlattorneys.com
Attorneys for Donnix Construction, LLC

-and-

William W. Watkins, Jr., Esquire (Trey)
Ford H. Thrift, Esquire
Wall Templeton & Haldrup, P.A.
145 King Street, Suite 300
Charleston, South Carolina 29401
Trey.Watkins@walltempleton.com
Ford.Thrift@walltempleton.com
Counsel for Aqua Blue Pools of Charleston, Inc.

Jenkins H. Wilson, Esquire
L. Dean Best, Esquire
Best Honeycutt, P.A.
Post Office Box 13466
Charleston, South Carolina 29422
jenkins@besthoneycutt.com
dean@besthoneycutt.com
Counsel for A Unique Design, Inc.

Robert Ethridge, Esquire
James Bryson, Esquire
Katherine Walker, Esquire
Dylan C. Kidd, Esquire
Ethridge Law Group, LLC
1100 Queensborough Boulevard, Suite 200
Mount Pleasant, South Carolina 29464
methridge@ethridgelawgroup.com
jbryson@ethridgelawgroup.com
kwalker@ethridgelawgroup.com
dkidd@ethridgelawgroup.com
Counsel for Berkeley Heating and Air Conditioning, Inc. & Haddigan Electrical Contractors, LLC

J. Adam Riback, Esquire
Creighton Segars, Esquire
McAngus Goudelock & Courie
1320 Main Street, 10th Floor
Columbia, South Carolina 29201
adam.ribock@mgclaw.com
creighton.segars@mgclaw.com
Counsel for DCTCL, L.P., d/b/a Buffington Homes, L.P.

Jeffrey A. Ross, Esquire
Philip P. Cristaldi, III, Esquire
Emily Sheets, Esquire
Ross & Cristaldi, LLC
863 Coleman Boulevard, Suite. B
Mt. Pleasant, South Carolina 29464
jross@rclawsc.com
pcristaldi@rclawsc.com
esheets@rclawsc.com
Counsel for EnergyOne America, LLC

Rachel Stewart, Esquire
Kevin Mims, Esquire
Luzuriaga Mims, LLP
1156 King Street
Charleston, South Carolina 29403
rstewart@lmlawllp.com
kmims@lmlawllp.com
Counsel for Haddigan Electrical Contractors, LLC

Shanna M. Stephens, Esquire
W. Coleman Lawrimore, Esquire
Post Office Box 87
Charleston, South Carolina 29401
sstepphens@arslawsc.com
clawrimore@arslawsc.com
Counsel for Hunt Brothers Construction, Inc

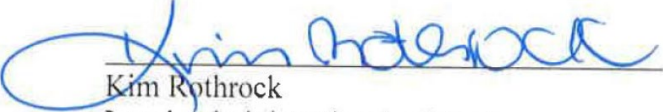
James H. Elliott, Jr., Esquire
Cameron D. Berthelsen, Esquire
Richardson Plowden & Robinson, P.A.
235 Magrath Darby Boulevard, Suite 100
Mt. Pleasant, South Carolina 29464
jelliott@richardsonplowden.com
cberthelsen@richardsonplowden.com

-and-

Sarah E. Butler, Esquire
Madison B. Suttie, Esquire
40 Calhoun Street, Suite 400
Charleston, South Carolina 29401
sbutler@csvl.law
msuttie@csvl.law
Counsel for Island Exteriors and Siding, Inc.

Morgan S. Templeton, Esquire
Stephanie G. Brown, Esquire
Wall Templeton & Haldrup, PA
Post Office Box 1200
Charleston, South Carolina 29402
Morgan.Templeton@WallTempleton.com
Stephanie.Brown@WallTempleton.com
Counsel for Plastering Surfaces, LLC

David C. Cleveland, Esquire
Clawson and Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492
dcleveland@clawsonandstaubes.com
david@cslaw.com
Counsel for Sunnyside Farms, Inc.


Kim Rothrock
Legal Administrative Assistant

January 20, 2023
Columbia, South Carolina

Martin-Rothrock, Kimberly

From: Martin-Rothrock, Kimberly
Sent: Friday, January 20, 2023 11:02 AM
To: Trey.Watkins@walltempleton.com; Ford.Thrift@walltempleton.com; jenkins@besthoneycutt.com; dean@besthoneycutt.com; methridge@ethridgelawgroup.com; jbryson@ethridgelawgroup.com; kwalker@ethridgelawgroup.com; dkidd@ethridgelawgroup.com; adam.ribock@mgclaw.com; creighton.segars@mgclaw.com; jross@rclawsc.com; pcristaldi@rclawsc.com; esheets@rclawsc.com; rstewart@lmlawllp.com; kmims@lmlawllp.com; sstephens@arlawsc.com; clawrimore@arlawsc.com; jelliott@richardsonplowden.com; cberthelsen@richardsonplowden.com; sbutler@csvl.law; msuttie@csvl.law; Morgan.Templeton@WallTempleton.com; Stephanie.Brown@WallTempleton.com; dcleveland@clawsonandstaubes.com; david@cslaw.com
Cc: Willis, Richard; Levy, Ruth; Tyer, Sara
Subject: Denise M. Petersen vs TAMKO Building Products, LLC, et al. / Appellate Case Number: 2022-000938
Attachments: Petersen; 2023-01-20; LT Appellate Clerk of Court re encl Appellant's Motion for Stay and Proof of Service.pdf; Petersen; 2023-01-20; Motion for Stay.pdf; Petersen; 2023-01-20; Proof of Service for Motion for Stay.pdf
Importance: High

Dear Counsel:

Attached please find correspondence to the Appellate Clerk on behalf of Attorney Richard H. Willis enclosing Appellant TAMKO Building Products, LLC's Motion For Stay, together with the Proof of Service in connection with the above-referenced matter. Our office will be submitting these documents today to the Court of Appeals for filing of the same.

Sincerely,



Kimberly A. Rothrock
Legal Administrative Assistant
T 803.567.4604
[email](#) | [website](#)

FIRST CITIZENS BANK BUILDING | 1230 MAIN STREET | SUITE 330 | Columbia, SC 29201

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WILLIAMS MULLEN

Richard H. Willis, Esquire
Direct Dial: 803.567.4611
rwillis@williamsmullen.com

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Jan 20 2023

SC Court of Appeals

January 20, 2023

VIA E-MAIL: ctappfilings@sccourts.org

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

Re: Denise M. Petersen, individually and as Trustee of the Denise M. Petersen 2005 Revocable Trust Dated November 9, 2005, as Trustee of the 601 Ocean Boulevard Residence Trust Dated November 30, 2012, and as Trustee of the 601 Ocean Boulevard Residence Trust II Dated December 7, 2012 vs TAMKO Building Products, LLC, et al.
Appellate Case No.: 2022-000938

Dear Ms. Kitchings:

Enclosed please find Appellants' Motion for Stay, together with the Proof of Service in connection with the above-referenced matter. Kindly please file the same and return a clocked-in copy to my office via e-mail. This firm's check in the amount of \$50.00 for the associated filing fee is being mailed to your office under separate cover.

The enclosed documents have been served upon counsel today via electronic mail as indicated in the Proof of Service.

Should you have any questions or require additional information, please do not hesitate to contact my office.

Sincerely,



Richard H. Willis

RHW/kmr

Enclosure: As referenced.

Cc: All counsel w/ enclosures