

From: [Witt Cox](#)
To: [Court Of Appeals Filings](#)
Cc: dean@bestlawsc.com; [Shanter Chaparro](#); [Heyward Grimball](#); [Derek M. Newberry, Esq.](#); [C. Clay Olson](#); [Stephen P Hughes](#); [Rachel Adkins](#)
Subject: Record on Appeal Volume 1 Errors - Case No. 2020-0415 {Builders FirstSource Southeast Group, LLC v. MI Windows }
Date: Wednesday, February 22, 2023 10:27:06 AM

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Dear Ms. Kitchings:

It has come to our attention that bound Volume I of the Record on Appeal, as retained by our office, is characterized by certain errors relating to the numbering and sequencing of the pages included therein. We expect that identical errors probably characterize the bound Volume I as filed with the Court of Appeals.

Specifically, certain pages of the bound Volume I contain no numbering whatsoever; other pages have, in several instances, been improperly sequenced.

The list below sets forth the current ordering of the pages as appearing in our bound Volume I, and noted, where relevant, the corresponding errors:

- a. The Cover Page, and Index, through page i, are correctly numbered and sequenced;
- b. Pages 1-22 are correctly numbered and sequenced;
- c. Pages 23-38, although properly sequenced, are not numbered in the bound Volume;
- d. Pages 39-147 of the bound Volume are correctly numbered and correctly sequenced;
- e. The five pages immediately following page 147 are neither numbered nor properly sequenced, and should be deleted;
- f. Pages 225-289 (immediately following the five unnumbered pages referenced in sub article e hereof), are out of order. These pages should be deleted from this portion of the Volume, inasmuch as they subsequently appear properly numbered and in correct sequence;
- g. Pages 148-198 (following the incorrectly sequenced pages 225-289), are properly numbered and correctly sequenced;
- h. Pages 199-224, although in the correct sequence, are not legibly numbered;
- i. Pages 225-289 (concluding Volume I) are properly numbered and in the correct order.

I would note that the digital copy of Volume I, as filed with the Court, is also characterized by those errors set forth in respective sub paragraphs c & h above.

Volume II of the Record on Appeal, as retained by our office, filed with the Court, and made available to all parties, does not appear to be characterized by any of the

referenced errors.

I have included a corrected digital copy of Volume I in the link below:

<https://hgHPA.sharefile.com/d-s7d5f0eba237643bdaa066340a8d9efc3>

Please advise as to the necessary procedure to replace the currently filed Volume I with the corrected Volume I.

Best,
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