

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF HORRY
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2019CP2606550

ELECTRONICALLY FILED - 2023 Feb 07 4:19 PM - HORRY - COMMON PLEAS - CASE#2019CP2606550

Marshall Griffin		Tony Giovino Bill West Carter Tackett Richard Aquino	Shoreham Towers Homeowners Association
PLAINTIFF(S)		DEFENDANT(S)	
Submitted by: Clerk of Court		Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant	

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

We, the jury, unanimously find that the Rooftop Terrace, the planters, and elevator lobby on the 10th floor at Shoreham Towers are part of the Rooftop Penthouse dwelling and "not a common element".
 We, the jury, unanimously find in favor of the Plaintiff against the Defendant Shoreham Towers Homeowners Association in the amount of \$20,000.00 actual damages and \$200,000.00 punitive damages as to Defendants Tony Giovino, Carter Tackett, Richard Aquino and Bill West. After a review of the punitive damages pursuant to Gamble the punitive damages are reduced to \$160,000.00 and shall be divided as stated below.
 Defendant Tony Giovino's name shall properly reflect in the record as Tony Giovino, de novo.

This order ends does not end the case.
 Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Marshall Griffin	Shoreham Towers Homeowners Association	\$20,000.00
Marshall Griffin	Tony Giovino	\$17,600.00 (11%)
Marshall Griffin	Bill West	\$17,600.00 (11%)
Marshall Griffin	Carter Tackett	\$17,600.00 (11%)
Marshall Griffin	Richard Aquino	\$107,200.00 (67%)

RECEIVED

Mar 16 2023

SC Court of Appeals

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.


Circuit Court Judge

2157
Judge Code

2/7/2023
Date

For Clerk of Court Office Use Only

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on , to attorneys of record or to parties (when appearing pro se) as follows:

John Martin Grantland PO Box 6648 Columbia, SC 29260
Thomas Casey Brittain 4614 Oleander Dr. Myrtle Beach, SC
29577

Henrietta U. Golding PO Box 336 Myrtle Beach, SC
29578

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter - Natalie Dahl

Renee N. Elvis - Clerk of Court

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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STATE OF SOUTH CAROLINA
COUNTY OF HORRY

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO: 2019-CP-26-06550

Marshall Griffin,

Plaintiff,

v.

Tony Giovino, Carter Tackett, Richard
Aquino, Bill West, and Shoreham Towers
Homeowners Association,

Defendants.

VERDICT FORM

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SC Court of Appeals

Please answer each of the following questions. Each answer must be the unanimous decision of the jury.

WE THE JURY unanimously find the following:

1. Do you find that the Rooftop Penthouse Terrace, the planters, and the elevator lobby on the 10th floor at Shoreham Towers are a "common element" and not part of the Rooftop Penthouse?

Yes _____

No _____

[Continue to the next page.]

2. Do you find that the Rooftop Penthouse Terrace, the planters, and elevator lobby on the 10th floor at Shoreham Towers are part of the Rooftop Penthouse dwelling and “not a common element”?

Yes _____

No _____

3. Do you find for the Plaintiff Marshall Griffin against the Defendant Shoreham Towers Homeowners Association?

Yes _____

No _____

4. Do you find the Defendant Richard Aquino acted willfully or wantonly?

Yes _____

No _____

5. In regard to the civil conspiracy claim, do you find for the Plaintiff Marshall Griffin against the Defendant Richard Aquino?

Yes _____

No _____

[Continue to the next page.]

6. Do you find the Defendant Bill West acted willfully or wantonly?

Yes _____

No _____

7. In regard to the civil conspiracy claim, do you find for the Plaintiff Marshall Griffin against the Defendant Bill West?

Yes _____

No _____

8. Do you find the Defendant Tony Giovino acted willfully or wantonly?

Yes _____

No _____

9. In regard to the civil conspiracy claim, do you find for the Plaintiff Marshall Griffin against the Defendant Tony Giovino?

Yes _____

No _____

10. Do you find the Defendant Carter Tackett acted willfully or wantonly?

Yes _____

No _____

11. In regard to the civil conspiracy claim, do you find for the Plaintiff Marshall Griffin against the Defendant Carter Tackett?

Yes _____

No _____

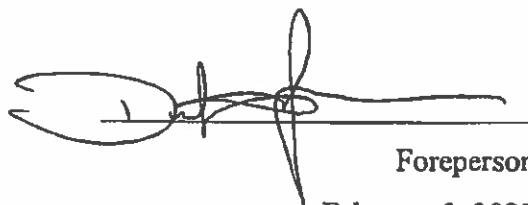
12. We find for the Plaintiff Marshall Griffin actual damages in the amount of

\$ 20,000.00 .

13. We find for the Plaintiff Marshall Griffin punitive damages in the amount of

\$ 200,000.00 .

Now, you are done. Please sign the verdict form and notify the bailiff.



Foreperson

February 3, 2023

Conway, South Carolina

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY

CIVIL ACTION NO: 2019-CP-26-06550

Marshall Griffin,	Plaintiff,
v.	
Tony Giovino, Carter Tackett, Richard Aquino, Bill West, and Shoreham Towers Homeowners Association,	
Defendants.	

VERDICT FORM

RECEIVED

Mar 16 2023

SC Court of Appeals

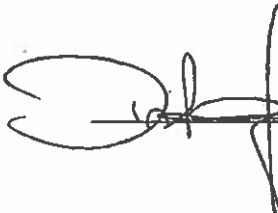
Fault Apportionment Verdict Form

Considering the punitive damage amount that caused the Plaintiff's injuries as 100%, what percentage of those damages are attributable to the Defendant Shoreham Towers Homeowners Association and what percentage is attributable to the individual Defendants: Richard Aquino, Bill West, Tony Giovino, and Carter Tackett? [The percentage must add up to 100%.]

Defendant Shoreham Towers Homeowners Association:	<u>0</u>	%
Defendant Richard Aquino:	<u>67</u>	%
Defendant Bill West:	<u>11</u>	%
Defendant Tony Giovino:	<u>11</u>	%
Defendant Carter Tackett:	<u>11</u>	%

TOTAL: 100%

Please let the bailiff know when you have completed this form and sign the document.



Foreperson
February 3, 2023
Conway, South Carolina

Certificate of Electronic Notification

Recipients

Henrietta Golding - Notification transmitted on 02-07-2023 04:19:59 PM.

John Grantland - Notification transmitted on 02-07-2023 04:19:57 PM.

Thomas Brittain - Notification transmitted on 02-07-2023 04:19:59 PM.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

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A filing has been submitted to the court RE: 2019CP2606550

Official File Stamp: 02-07-2023 04:19:43 PM
Court: CIRCUIT COURT
Common Pleas
Horry
Case Caption: Marshall Griffin VS Tony Giovino , defendant, et al
Document(s) Submitted: Order/Jury Verdict Order/Jury Verdict
Filed by or on behalf of: Bridgett Williamson

This notice was automatically generated by the Court's auto-notification system.

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The following people were served electronically:

Thomas Casey Brittain for Marshall Griffin
Henrietta U. Golding for Tony Giovino et al
John Martin Grantland for Marshall Griffin

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

Case Party Info Protected