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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No. 2018-CP-07-00911
Appellant Case No. 2022-000016

Richard W. and Rebecca A. Dreier; Yolanda J. Dreier; Jacob R. and Carla Emerson; John B. and Lori Anne Gecy; Aaron M. and Stasha R. Grooms; AvaRae Hall; Michael B. and Cheyenne M. Johnson; Kenny Manuel Lopez and Kelsey Trudel Lopez; Dylan C. and Samantha Dawn Machado; Marvin K. and Maryalice Mamaril; Thomas R. and Melissa S. McFeely; Michael and Karen M. Rodriguez; Sarmed and Jessica M. Shafi; James J. Smith, III and Alayshia Smith and Nichole J. Verstegen; Plaintiffs,

v.

Advanced Flooring & Design Division of ISI, LLC f/k/a Advanced Flooring and Design, LLC; Americo Roofing Concepts, Inc.; Archer Exteriors, Inc.; Armor Building Solutions, LLC; Builders FirstSource-Southeast Group, LLC; Crossroads Enterprises, LLC; D.R. Horton, Inc.; Dean Custom Air, LLC; East Coast Construction Cleanup Corp. f/k/a S.C. Cleanup Co., Inc.; Freedom Homes, Inc. f/k/a Armor Building Solutions, Inc.; Hutton's Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.; Masco Cabinetry, LLC; ProBuild East, LLC; Professional Drywall & Paint Services, LLC; Professional Exteriors, II, LLC; Quality Electric of the Coastal Carolinas Incorporated; Superior Association Services, LLC; and Valim Construction, LLC, Defendants,

Of Whom Sarmed and Jessica M. Shafi, Lather Construction, Inc., Lather Construction SC, Inc., Hutton's Landscapes, Inc., and East Coast Construction Cleanup Corp. f/k/a S.C. Cleanup Co., Inc. are the Respondents,

And

D.R. Horton, Inc. is the Appellant.

REPLY BRIEF DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes that the material described in the attached Exhibit A be included in the Record on Appeal.

I certify that this designation contains no matter which is irrelevant to this appeal.

April 3, 2023.

Respectfully,

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EXHIBIT A
PROPOSED DESIGNATION OF RECORD ON APPEAL

1. Transcript of Jury Trial, Hon. Bentley Price presiding:

Volume I: TR. V. I. 135-169

Volume II: Because Volume II of the transcript was corrected and supplemented by the Court Reporter on March 3, 2023, the following: TR. V. II Rev2. pp. 6:23 – 7:6; 8:12 – 54:25; 109:11 – 110:25.

Vol. III: Tr. V. III. pp. 276:5 – 12; 276:21 – 277:9; 333:1 – 14.

Volume IV: Tr. V. IV. pp. 398:17 – 399:15; 405:8 – 15; 411:17 – 416:22; 419:20 – 420:12; 422:5 – 15; 450:17 – 19; 451:10 – 457:3; 467:2 – 488:6.

Volume V: Tr. V. V. pp. 502:14 – 508:14; 511:18 – 513:15; 516:2 – 522:3; 523:16 – 525:4; 528:11 – 536:15; 537:19 – 538:8; 549:20 – 550:7.

2. H. 4048, 2022, 124th Sess. (S.C. effective date May 13, 2022)
3. N.C. §22-B-1(c)
4. S. 422, 124th Sess. (S.C. 2021)
5. S.C. Code Ann. § 1-11-440 (repealed May 13, 2022)
6. S.C. Code Ann. § 12-4-325 (repealed May 13, 2022)

[NOTE: Except as otherwise shown or to avoid duplication, all exhibits to all motions and memoranda will be included.]