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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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JUN 10 2013

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

SC Court of Appeals

Alexander S. Macaulay, Presiding Judge Seventh Judicial Circuit

Case No. 2009-CP-37-652

Stoneledge At Lake Keowee Owners' Association, Inc., C. Dan Carson, Jeffrey J. Dauler, Joan W. Davenport, Michael Furnari, Donna Furnari, Jessy B. Grasso, Nancy E. Grasso, Robert P. Hayes, Lucy H. Hayes, Ty Hix, Jennifer D. Hix, Paul W. Hund, III, Ruth E. Isaac, Michael D. Plourde, Mary Lou Plourde, Carol C. Pope, Steven B. Taylor, Bette J. Taylor, and Robert White, Individually and on Behalf of All others similarly situated.....Plaintiffs

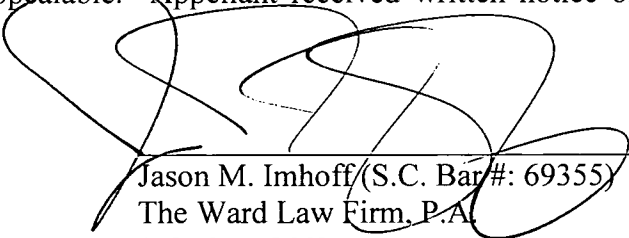
IMK Development Co., LLC, Keowee Townhouses, LLC, Ludwig Corporation, LLC, SDI Funding, LLC, Medallion at Keowee, LLC, Integrys Keowee Development, LLC, Marick Home Builders, LLC, Bostic Brothers Construction, Inc., Miller/Player & Associates, John Ludwig, Clear View Construction, LLC, Michael Franz, MHC Contractors, Miguel Porras Choncoas, Builders First Source Southeast Group, Mike Green, Southern Concrete Specialties, Carl Compton d/b/a Compton Enterprize a/k/a Compton Enterprises, Gunter Heating & Air, All Pro Heating, A/C & Refrigeration, LLC, Coleman Waterproofing, Heyward Electrical Services, Inc., Tinsley Electrical, LLC, Hutch N Son Construction, Inc., Carl Catoe Construction, Inc., T.G. Construction, LLC, Delfino Construction, Francisco Javier Zarate d/b/a Zarate Construction, Alejandro Avalos Cruz, Herberito Acros Hernandez, Martin Hernandez-Aviles, Francisco Villalobos Lopez, Ambrosio Martinez-Ramirez, Ester Moran Mentado, Socorro Castillo Montel, Upstate Utilities, Inc., MJG Construction and Homebuilders, Inc. d/b/a MJG Construction, KMAC of the Carolinas, Inc., Eufacio Garcia, Everado Jarmamillo, Garcia Parra Insulation, Inc., J&J Construction, Jose Nino, Jose Manuel Garcia, Eason Construction, Inc., and Vincent Morales d/b/a Morales Masonry/Player & Associates,Defendants

Of Defendants, Marick Home Builders, LLC and Rick ThoennesAppellants,

Of Defendants, Builders FirstSource—Southeast Group, LLC, Southern Concrete Specialties, Inc., Clear View Construction, LLC and Michael Franz.....Respondents

NOTICE OF APPEAL

Marick Home Builders, LLC and Rick Thoennes appeal the order of the Honorable Alexander S. Macaulay dated May 22, 2013 denying Defendants Marick Home Builders, LLC and Rick Thoennes' Motion for Reconsideration and to Alter Judgment as to Respondents, attached as Exhibit "A". Pursuant to Rule 59(e), SCRCP, the denying of motion to reconsideration is immediately appealable. Appellant received written notice of entry of this order on May 24, 2013.



Jason M. Imhoff (S.C. Bar #: 69355)
The Ward Law Firm, P.A.
P.O. Box 5663
Spartanburg, SC 29304
Telephone (864) 582-3075
Facsimile (864) 585-3090
ATTORNEYS FOR THE APPELLANTS

June 6, 2013

RESPONDENTS' COUNSEL OF RECORD:

Michael B.T. Wilkes, Esquire
Lindsay L. Builder, Esquire
Wilkes Law Firm, PA
127 Dunbar Street, Suite 200
Spartanburg, SC 29306
Attorneys for Respondents Clear View Construction, LLC and Michael Franz

Mason A. Goldsmith, Esquire
Elmore Goldsmith, PA
PO Box 1887
Greenville, SC 29602
Attorneys for Respondents Southern Concrete Specialties

David A. Root, Esquire
Kernodle, Root, & Coleman
PO Box 13897
Charleston, SC 29422
Attorneys for Respondents Builders FirstSource

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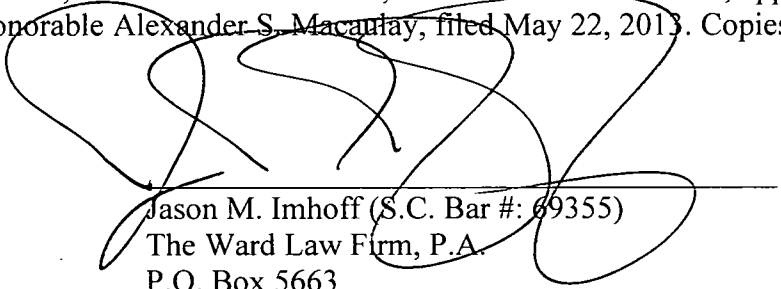
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.....Defendants

Of Defendants, Marick Home Builders, LLC and Rick ThoennesAppellants,

Of Defendants, Builders FirstSource—Southeast Group, LLC, Southern Concrete Specialties, Inc., Clear View Construction, LLC and Michael Franz.....Respondents

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, First Class postage prepaid, on June 6, 2013, addressed to Respondents' attorneys of record, Lindsay L. Builder, Esquire, 127 Dunbar Street, Suite 200 Spartanburg, SC 29306 (attorney for Clear View Construction, LLC and Michael Franz), Mason A. Goldsmith, Esquire, PO Box 1887, Greenville, SC, 29602 (attorney for Southern Concrete Specialties), and David A. Root, Esquire, PO Box 13897, Charleston, SC, 29422 (attorney for Builders FirstSource) The Appellants, Marick Home Builders, LLC and Rick Thoennes, appeal the May 22, 2013 Order of the Honorable Alexander S. Macaulay, filed May 22, 2013. Copies of the Order are attached hereto.


Jason M. Imhoff (S.C. Bar #: 69355)
The Ward Law Firm, P.A.
P.O. Box 5663
Spartanburg, SC 29304
Telephone (864) 582-3075
Facsimile (864) 585-3090
ATTORNEYS FOR THE APPELLANTS

June 6, 2013

RESPONDENTS' COUNSEL OF RECORD:

Michael B.T. Wilkes, Esquire
Lindsay L. Builder, Esquire
Wilkes Law Firm, PA
127 Dunbar Street, Suite 200
Spartanburg, SC 29306

Attorneys for Respondents Clear View Construction, LLC and Michael Franz

Mason A. Goldsmith, Esquire
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David A. Root, Esquire
Kernodle, Root, & Coleman
PO Box 13897
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Attorneys for Respondents Builders FirstSource

THE WARD LAW FIRM, P.A.

ATTORNEYS AT LAW
POST OFFICE BOX 5663
SPARTANBURG, SOUTH CAROLINA 29304

JAMES W. HUDGENS
GENE ADAMS
H. SPENCER KING
ROBERT E. DAVIS*
JASON M. IMHOFF
JOHN E. ROGERS, II*
REED TEAGUE
CHAD M. GRAHAM

RUFUS M. WARD (1908-1988)
L. PAUL BARNES (1931-1986)

233 SOUTH PINE STREET
SPARTANBURG, S.C. 29302

FAX NO. (864) 585-3090
E-mail: jimhoff@wardfirm.com

*ALSO MEMBER NORTH CAROLINA BAR

Direct No. 864-582-3075

June 6, 2013

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11639
Columbia, SC 29211

**Re: Stoneledge at Lake Keowee Owners' Association, Inc., et al. vs. IMK
Development Co., LLC, et al. vs. Michael Franz, et al.
Oconee County Case Number: 2009-CP-37-652**

Dear Ms. Kitchings,

Enclosed for filing with regard to the above-referenced matter, please find the following:

1. Notice of Appeal (with Exhibit "A");
2. Proof of Service of the Notice of Appeal on the Respondents; and
3. This firm's check in the amount of \$100.00 for the filing fee.

I have also included an extra copy of the Notice of Appeal with Proof of Service and would appreciate your returning these copies, file-stamped, to me in the envelope provided for your convenience. Should you have any questions, please do not hesitate to contact me.

Thank you for your time and consideration.

Sincerely,

Jason M. Imhoff

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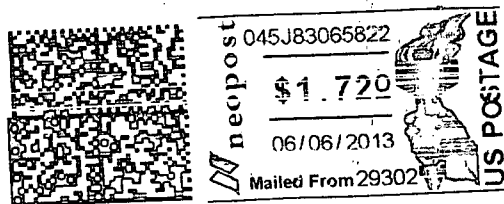
JMI/ads

Enclosure

Cc: All Counsel of Record (via electronic mail only)
The Honorable Alexander S. Macaulay
David A. Root, Esquire

Lindsay L. Builder, Esquire
Mason A. Goldsmith, Esquire
Ms. Beverly H. Whitefield

MEWARD LAW FIRM, PA
733 South Pine Street
PO Box 5663
Spartanburg, SC 29304



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Clerk, South Carolina Court of Appeals
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