

The South Carolina Court of Appeals

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, Bettie J. Taylor, and Robert White,
Individually, and on behalf of all others similarly
situated, Plaintiffs,

v.

IMK Development Co., LLC, Keowee Townhouses,
LLC, Ludwig Corporation, LLC, SDI Funding, LLC,
Medallion At Keowee, LLC, Intergrys Keowee
Development, LLC, Marick Home Builders, LLC, Bostic
Brothers Construction, Inc., Miller/Player & Associates,
Bradford D. Seckinger, John Ludwig, William Cox,
Larry D. Lollis, Rick Thoennes, M Group Construction
and Development, LLC, Mel Morris, Joe Bostic,, Jeff
Bostic, Clear View Construction, Michael Franz, MHC
Contractors, Miguel Porras Choncoas, Builders
FirstSource Southeast Group, Mike Green, Southern
Concrete Specialties, Carl Compton d/b/a Compton
Enterprise d/b/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., Upstate Utilities, Inc. Southern Basements, Inc. Carl
Catoe Construction, Inc., T.G. Construction, LLC,
Delfino Construction, Francisco Javier Zarate d/b/a
Zarate Construction, Alejandro Avalos Cruz, Herberto
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, and Miller/Player & Associates, Defendants,

Of whom Marick Home Builders, LLC, and Rick Thoennes are the Appellants,

And

Of whom Hutch N Son Construction, Inc. and Upstate Utilities, Inc. are the Respondents.

Appellate Case No. 2012-213237

ORDER

Respondent Upstate Utilities, Inc. has filed a motion to dismiss or in the alternative to strike. After careful consideration of the parties' filings, the motion to dismiss is denied. However, the motion to strike is granted in part. Specifically, the motion to strike is granted as to the deposition of Randy Still. All other portions of the motion to strike are denied.

Respondent Hutch N Son Construction, Inc. has filed a motion to strike. After careful consideration of the parties' filings, the motion is granted in part. Specifically, the motion to strike is granted as to the deposition of Randy Still. The remaining argument in the motion to strike is denied.

No portions of the deposition of Randy Still shall be included in the record on appeal. Within twenty days, Appellant shall serve and file an amended record on appeal that does not include this deposition and an amended initial brief that omits references and citations to this deposition.

Jasper W. Cureton AS
FOR THE COURT

Columbia, South Carolina

cc:

Jason Michael Imhoff
Carl Reed Teague
Sidney Markey Stubbs
Shelley Sunderman Montague
Laura Watkins Jordan

FILED
7/10/13