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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM Horry County Common Pleas Court  
Honorable Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2023-001132  
Trial Court Case No. 2018-CP-26-00307

Wedgewood Condominium Association . . . . . Respondent,

v.

Centex Homes, a Nevada General Partnership; Balfour Beatty Construction,  
LLC as Successor by Merger to Centex Construction Company, Inc., and  
Centex Construction, LLC; Crescent Engineering, Inc. . . . . Defendants,

Of which Centex Homes, a Nevada General Partnership; Balfour Beatty  
Construction, LLC as Successor by Merger to Centex Construction Company,  
Inc., and Centex Construction, LLC. . . . . Appellants.

And

Centex Homes, a Nevada General Partnership . . . . . Third Party Plaintiff,

v.

Right Way Construction, Inc. a/k/a RWG, Inc. a/k/a Right Way Group, Inc. a/k/a RWGR, Inc.;  
Frank Harris d/b/a Frank Harris Construction a/k/a F. Harris Construction a/k/a Harris Drywall;  
Builders First Source- South East Group, LLC; Stock Building Supply, LLC f/k/a Stock Building  
Supply, Inc. f/k/a Carolina Builders Corporation; Michael D. Brownlee d/b/a Carolina  
Drywall & Interiors; Carolina Drywall & Interior, Inc., a/k/a Carolina  
Drywall & Interiors, Inc. a/k/a Carolina Drywall Contractors, Inc.; Roof  
Doctor of the Carolinas, Inc.; John D. Frazier d/b/a and/or a/k/a Roof Doctor and/or Roof Doctor  
of the Carolinas and/or Roof Doctor of the Carolinas,  
Inc.; Steven Bosch d/b/a The Roofer Man; Tri- City Insulation and Building Products of Myrtle  
Beach, Inc.; Martin Mata d/b/a Martin Masonry, Inc.;  
Martin Masonry, Inc.; BR Brick & Masonry, Inc.; BR Brick & Masonry, LP f/k/a BR Brick &  
Masonry, Inc.; Unicon Concrete, LLC; Seno's Cleaning  
Services; Rice Planter Carpets, Inc. n/k/a Creative Touch Interiors, Inc.,  
Floors, Inc. Successor By Merger to Rice Planter Carpets, Inc.; Carpets by Kendall, Inc.; Reliable

Floor Systems, Inc.; TNT Painting; Paint with Pride a/k/a Painting with Pride; William Evans d/b/a Top Notch Painters;  
Morningstar Consultants, Inc.; MI Windows and Doors, LLC; Michael Dawson d/b/a Michael Dawson Construction, and Inc.; Vereen Concrete Co. Inc.; AK Construction Inc. a/k/a AK Framing and Siding Co.; and AK United, Inc. f/k/a AK Construction Inc. . . . . Third-Party Defendants.

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APPELLANTS' DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL

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The undersigned attorney for Appellants Centex Homes, a Nevada General Partnership; Balfour Beatty Construction, LLC as Successor by Merger to Centex Construction Company, Inc., and Centex Construction, LLC hereby designates the following matter to be included in the Record on Appeal:

1. Transcript of May 22–26, 2023 Trial before the Honorable Carmen T. Mullen;
2. Plaintiff’s Trial Exhibit No. 7;
3. Defendants’ Trial Exhibit No. 63;
4. Defendants’ Trial Exhibit No. 64;
5. Defendants’ Trial Exhibit No. 67;
6. Defendants' Trial Exhibit No. 71;
7. Defendants' Trial Exhibit No. 76;
8. Defendants' Trial Exhibit No. 78;
9. Defendants' Trial Exhibit No. 80;
10. Defendants’ Trial Exhibit No. 82.5;
11. Defendants’ Trial Exhibit No. 80;
12. Defendants’ Trial Exhibit No. 105;
13. Defendants’ Proposed Jury Instructions;
14. Final Jury Instructions;
15. Verdict, entered May 26, 2023;
16. Form 4 Judgment on Jury Verdict, entered June 1, 2023;
17. Motion for Summary Judgment, filed March 1, 2022;
18. Order of the Honorable Carmen T. Mullen Granting Partial Summary Judgment, entered

November 18, 2022;

19. Defendants' Motion for JNOV or, in the Alternative, a New Trial filed June 5, 2023;
20. Transcript of June 14, 2023 Hearing before the Honorable Carmen T. Mullen on Defendants' Motion for JNOV or, in the Alternative, a New Trial at pages 1, 125–126;
21. Form 4 Judgment of the Honorable Carmen T. Mullen Denying Defendants' Motion for JNOV or, in the Alternative, a New Trial, entered June 14, 2023; and
22. Defendants' Notice of Appeal, filed July 13, 2023.

The undersigned certifies, pursuant to Rule 209(c), SCACR, that Appellants' Designation of Matter contains no matter which is irrelevant to the appeal.

Dated: October 18, 2023

/s/ Stephanie A. Douglas  
Stephanie A. Douglas (admitted pro hac vice)  
Jeffrey A. Turner (admitted pro hac vice)  
Bush Seyferth PLLC  
100 W. Big Beaver Road, Suite 400  
Troy, MI, 48084  
(248) 822-7800  
douglas@bsplaw.com  
turner@bsplaw.com

Katon E. Dawson, Jr. (SC Bar #101167)  
Parker Poe Adams & Bernstein LLP  
1221 Main Street, Suite 1100  
Columbia, SC, 29201  
(803) 255-8000  
katondawson@parkerpoe.com

Thomas C. Hildebrand, Jr.  
William G. DesChamps, IV  
Paul Nicholas Nybo  
Parker Poe Adams & Bernstein LLP  
850 Morrison Drive, Suite 400  
Charleston, SC, 29403  
(843) 727-2650  
tomhildebrand@parkerpoe.com  
willdeschamps@parkerpoe.com  
nicknybo@parkerpoe.com

*Attorneys for Appellants*