

From: [Angela Gross](#)
To: [Court Of Appeals Filings](#)
Cc: [Ben Parker](#); [Jaan Rannik](#); [Clinton T. Magill](#); [Angela Gross](#); [Renee Carter](#); [PinedaOrellanaJosuePersonalInjuryZ991261187@johnpricelawfirm.filevineapp.com](#)
Subject: FW: App. No. 2023-001118 (Josue Pineda Orellana v. Trident Construction)
Date: Thursday, October 12, 2023 4:55:30 PM
Attachments: [2023 10 12 - Exhibits to Motion to Dismiss.pdf](#)
[2023 10 12 - Motion to Dismiss.pdf](#)
[2023 10 12- Proof of Service of Motion to Dismiss.pdf](#)

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Dear Sir or Madam:

Attached for filing please find Appellant Trident Construction, LLC's Motion to Dismiss, with supporting exhibits, together with a Proof of Service in the above appeal.

I would greatly appreciate your filing the Motion and returning a file-stamped copy to me via email.

Our firm's check in the amount of \$50 for the motion fee will follow by FedEx.

With kindest regards,



Angela Gross
Legal Assistant to Andrew K. Epting, Jr., Esq.
Jaan G. Rannik, Esq.
Clinton T. Magill, Esq.
EPTING & RANNIK, LLC
46A State Street
Charleston, SC 29401
Telephone: (843) 377-1871
Facsimile: (843) 377-1310
agg@epting-law.com

From: Angela Gross
Sent: Thursday, October 12, 2023 4:50 PM
To: Benjamin Parker <benparker@johnpricelawfirm.com>; Renee Carter <rcarter@johnpricelawfirm.com>
Cc: Angela Gross <agg@epting-law.com>; PinedaOrellanaJosuePersonalInjuryZ991261187@johnpricelawfirm.filevineapp.com; Jaan Rannik <jgr@epting-law.com>; Clinton T. Magill <ctm@epting-law.com>

Subject: App. No. 2023-001118 (Josue Pineda Orellana v. Trident Construction)

Dear Mr. Parker,

Attached for service please find Trident Construction, LLC's Motion to Dismiss, with supporting exhibits, in the above appeal.

A Proof of Service will follow under separate email.

With kindest regards,



Angela Gross
Legal Assistant to Andrew K. Epting, Jr., Esq.
Jaan G. Rannik, Esq.
Clinton T. Magill, Esq.
EPTING & RANNIK, LLC
46A State Street
Charleston, SC 29401
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From: Benjamin Parker <benparker@johnpricelawfirm.com>
Sent: Wednesday, October 11, 2023 3:57 AM
To: Jaan Rannik <jgr@epting-law.com>; Renee Carter <rcarter@johnpricelawfirm.com>
Cc: Angela Gross <agg@epting-law.com>;
PinedaOrellanaJosuePersonalInjuryZ991261187@johnpricelawfirm.filevineapp.com
Subject: RE: TCC/Worldwide

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Please see attached Amended Appealability Memoranda.

Thanks,
Ben

PLEASE USE "REPLY ALL" WHEN RESPONDING

Benjamin A. Parker, Attorney at Law
John Price Law Firm, LLC
3045 Ashley Phosphate Rd

North Charleston, SC 29418

O: (843) 552-6011

F: (843) 871-3232 *PLEASE NOTE NEW FAX NUMBER

NOTICE: This e-mail is confidential and may contain information which is legally privileged or otherwise exempt from disclosure. If you received this message in error, please delete this message and any attachments to this message from your device.

From: Benjamin Parker

Sent: Wednesday, October 11, 2023 12:09 AM

To: Jaan Rannik <jgr@epting-law.com>; Renee Carter <rcarter@johnpricelawfirm.com>

Cc: Angela Gross <agg@epting-law.com>;

PinedaOrellanaJosuePersonalInjuryZ991261187@johnpricelawfirm.filevineapp.com

Subject: RE: TCC/Worldwide

Jaan, I just uploaded a PDF memorandum to SC Court Sharepoint (addressing appealability), but I'm not 100% certain how SC Court Sharepoint works, so I've attached it to this email as well.

Thanks,

Ben

PLEASE USE "REPLY ALL" WHEN RESPONDING

Benjamin A. Parker, Attorney at Law

John Price Law Firm, LLC

3045 Ashley Phosphate Rd

North Charleston, SC 29418

O: (843) 552-6011

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From: Jaan Rannik <jgr@epting-law.com>

Sent: Tuesday, August 1, 2023 9:31 AM

To: Benjamin Parker <benparker@johnpricelawfirm.com>

Cc: Angela Gross <agg@epting-law.com>; Renee Carter <rcarter@johnpricelawfirm.com>;

PinedaOrellanaJosuePersonalInjuryZ991261187@johnpricelawfirm.filevineapp.com

Subject: RE: TCC/Worldwide

Ben,

If I understand correctly from your email that that no service was effected upon Trident, we will put the questions to the Court.

Kind regards,
Jaan

Jaan G. Rannik, Esq.
EPTING & RANNIK, LLC
46A State Street, Charleston, SC 29401
P: 843-377-1871
F: 843-377-1310
jgr@epting-law.com

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From: Benjamin Parker <benparker@johnpricelawfirm.com>
Sent: Monday, July 31, 2023 13:33
To: Jaan Rannik <jgr@epting-law.com>
Cc: Angela Gross <agg@epting-law.com>; Renee Carter <rcarter@johnpricelawfirm.com>; PinedaOrellanaJosuePersonalInjuryZ991261187@johnpricelawfirm.filevineapp.com
Subject: RE: TCC/Worldwide

Jaan,

As you are aware, SCRCP 59(e) requires a party filing a written motion under Rule 59 to provide a copy of the motion to the Judge within ten (10) days of filing the motion. Plaintiff's Motion to Reconsider was filed June 5, 2023 and was promptly denied by Judge McFaddin only four (4) days later on June 9, 2023, thereby relieving Plaintiff's counsel of the necessity to provide a copy of the Motion to Reconsider either to the Judge or to any other parties within the ten (10) day deadline. If you still feel the need to file a Motion to Dismiss, that's your prerogative, but given that the Motion to Reconsider was denied so quickly, without oral argument, I can't see how there was any prejudice to Trident Construction in not receiving a copy of the denied Motion to Reconsider.

Considering the above, please advise as to how you plan on proceeding.

Thanks,
Ben

Benjamin A. Parker, Attorney at Law

John Price Law Firm, LLC
3045 Ashley Phosphate Rd
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O: (843) 552-6011
F: (843) 760-6840

From: Jaan Rannik <jgr@epting-law.com>
Sent: Monday, July 31, 2023 9:40 AM
To: Benjamin Parker <benparker@johnpricelawfirm.com>
Cc: Angela Gross <agg@epting-law.com>
Subject: RE: TCC/Worldwide

Ben,

Just following up on the below. We intend to file a motion to dismiss.

Kindest regards,
Jaan

Jaan G. Rannik, Esq.
EPTING & RANNIK, LLC
46A State Street, Charleston, SC 29401
P: 843-377-1871
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From: Angela Gross <agg@epting-law.com>
Sent: Friday, July 14, 2023 11:49
To: Ben Parker <benparker@johnpricelawfirm.com>
Cc: Andrew K. Epting <ake@epting-law.com>; Jaan Rannik <jgr@epting-law.com>; Angela Gross <agg@epting-law.com>
Subject: TCC/Worldwide

SENT ON BEHALF OF ANDREW K. EPTING, JR., ESQUIRE:

Ben,

We received a copy of your notice of appeal. Our office did not even know a motion for reconsideration was filed. Rule 59 requires you to send a copy of the motion to the judge. Would you please provide us with any communications you have indicating we were served with this motion to reconsider or that a copy was sent to the judge which would have required a copy being sent to us?

With kindest regards,

s/*Drew*

Andrew K. Epting, Jr., Esquire
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ake@epting-law.com