

The State of South Carolina
In The Court of Appeals

Initial Brief Respondent
Case no. 2021-001064

In The Magistrate's Court
James A Turner,
Charleston County Magistrate
Case No. 2020CV1011501116

RECEIVED

DEC 08 2023

SC Court of Appeals

Appeal From Charleston Court of Common Pleas
The Honorable Jennifer B. McCoy
Charleston County
Trial Court Case No. 2020-001064

Danny D. Henriksen

Respondent,

Magnus Shier, DBA Edgewater Kitchens

Appellant

[Initial] Brief of Respondent

December 7, 2023

Danny D. Henriksen

322 Cabell St.

Charleston SC, 29407

509-947-7354

Respondent

Magnus E. Shier III

2487 Ashley River RD.

Charleston, SC 29414

843-364-3700

Appellant

Table of Contents

- 1. Contract For Kitchen Remodel**
- 2. Financial Figures for Complaint**
- 3. Time Line 322 Cabell Kitchen**
- 4. Text Messages from Magnus Shier and Pat O'Neil**
- 5. Pictures of work site**
- 6. Contract drawings and layout of kitchen**
- 7. Payments made to Edgewater Kitchens**
- 8. Invoices from Edgewater Kitchens**
- 9. Response to Edgewater Kitchens Complaint and Response**

Contract for Kitchen remodel

322 Cabell St, Charleston S.C.

- (1. Remove existing cabinets.) *Habitat*
2. Build corner Walled pantry per Drawings.
 3. Install new cabinets and island per design Layout.
Placement of island to be determined in field.
 4. Install crown molding and lower molding, and finish cabinets.
 5. Install counter tops, backsplash, and mount sinks.
 6. Install floor moldings as needed.
 7. Contractor to provide labor and material as needed.
 8. Owner will provide, sinks, plumbing fixtures, mixing valves, cabinet hardware, electrical wiring, receptacles, and appliances. No plumbing, electrical or HVAC work is included in this contract.

Financial Figures for Complaint

Cabinet window Doors	\$2390
Backsplash Tile	\$2272
Finish Trim on Island and garbage cab. Door	\$2000
Preparation and Filing fees	\$0600
	<hr/>
Total	\$7262

Time Line 322 Cabell Kitchen

- 08/20/19 Paid \$300.00 for initial consultation and work scope verification. This fee was to be deducted from contract price if awarded.
- 09/26/19 Entered into contract Paid \$19,119.84 was told that kitchen would be complete in four weeks, except for appliances, electrical, and plumbing.
- 12/02/19 Work started, completed tear out in one day. Project to be 4 to 5 weeks.
- 12/27/19 Payment of \$6,657.00 noticed work was going slow.
- 01/07/20 Moved appliance delivery from 01/13/20 to 01/27/20.
- 01/17/20 Without any prior consent, presented an invoice for additional work, for sheetrock work, administrative fee, and floor moldings amount of \$3100.00. I informed him that the work was covered under the original contract.
- 01/20/20 Argument over what was covered under the initial contract. He said the backsplash tile work was not covered under contract.
- 01/22/20 Moved appliance delivery from 01/27/20 to 02/10/20.
- 01/23/20 Counter tops were installed by Palmetto surfacing and sinks were installed they asked if I wanted the four inch counter top backing, I said yes. Magnus said he needed another payment.
- 01/24/20 Paid Magnus \$1733.00, he said he needed more than that, and he wanted to see the contract I was talking about. He followed me to my dad's house on 2222 Longview Court, and showed him the contract which he had signed. I knew at this time I would have to take him to court, Kitchen still progressing very slow and late.

01/28/20 Another argument in the meeting, Magnus wanting more money. No work performed. Palmetto Surfacing came and installed last piece of counter top backing behind stove.

01/29/20 Worked 2 hours. Called and asked when the last cabinet would be installed he said whenever he got paid.

01/30/20 Jacob and myself moved all of Magnus tools and equipment out of the house and started cleaning up.

02/01/20 Meeting at Edgewater kitchens office, told Magnus there would be no more using saw inside the house, and he had one week to finish the job. Paid \$2850 to get last or extortion cabinet installed.

02/03/20 Installed the extortion cabinet in the afternoon.

02/04/20 Installed bottom trim on extortion cabinet. Informed me that the trash can pull out drawer would not be shipped until February 28.

02/05/20 No show

02/06/20 Installed trim around window and floor molding on closet.

02/07/20 Met Magnus and Pat O'Neil house told Pat to bring her camera if she wanted to take pictures of their work. Met at 3 PM Paid \$1000. Island trim not finished, door on garbage cabinet not installed, Pantry closet not finished, glass doors on cabinet not installed, and backsplash not tiled.

04/16/20 Pat O'Neil called and asked if Magnus could come and finish the job. I told her I would have to contact my sons. My sons and I decided it would be better not to let him return to finish work.

04/22/20 Called Magnus Shier asked if I could have cabinet door to install on the garbage cabinet, he said I still owed him \$500.00 on the contract and I could have the door once I paid him.

04/29/20

Pat O'Neil called again asking Magnus and I have a meeting. I told her I was not interested in having a meeting.

05/15/20

Pat O'Neil called and said I could have the cabinet door.

Conversation with Magnus Shier

Message received from Magnus Shier 12/2/2019 8:52:31 AM

MS

Sorry, I can't talk right now.

Message sent 12/2/2019 9:03:15 AM

K

12/5/2019

Message received from Magnus Shier 12/5/2019 9:36:52 AM

MS

Be there at 10:00

Message sent 12/5/2019 9:47:22 AM

K

12/6/2019

Message received from Magnus Shier 12/6/2019 9:03:04 AM

MS

11:30 or so

Message sent 12/6/2019 9:23:55 AM

Ok

12/7/2019

Message received from Magnus Shier 12/7/2019 9:55:01 AM

MS

See you Monday AM

Message sent 12/7/2019 9:55:47 AM

K

12/9/2019

Message received from Magnus Shier 12/9/2019 9:49:23 AM

MS

Be there around lunchtime or after

Message received from Magnus Shier 12/9/2019 9:50:40 AM

MS

Sorry, I can't talk right now.

12/10/2019

Message received from Magnus Shier 12/10/2019 9:38:59 AM

MS

11:00

Message sent 12/10/2019 9:51:44 AM

Your list
2 square feet flooring
Cabinets

Message received from Magnus Shier 12/10/2019 9:52:47 AM

MS

Ok

Message received from Magnus Shier 12/10/2019 3:37:07 PM

MS

Get rid of him

12/11/2019

Message received from Magnus Shier 12/11/2019 9:57:50 AM

MS

On the way

12/12/2019

Message received from Magnus Shier 12/12/2019 10:27:01 AM

MS

On the way

12/13/2019

Message received from Magnus Shier 12/13/2019 9:38:54 AM

MS

On the w

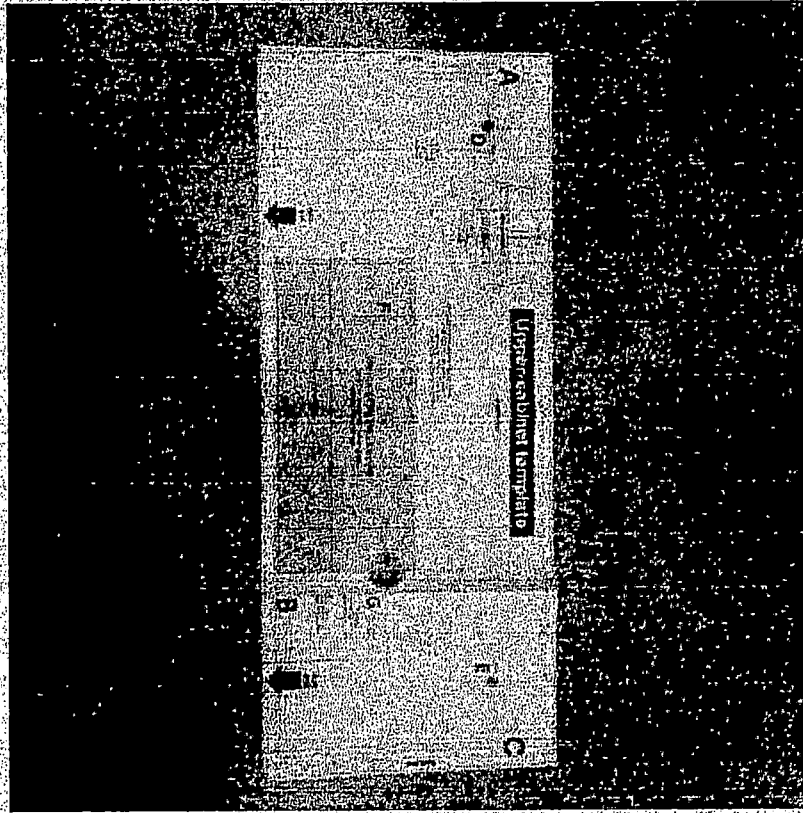
Message received from Magnus Shier 12/13/2019 11:18:09 AM

MS



12/15/2019

Message sent 12/15/2019 2:48:21 PM



Microwave layout details.

12/18/2019

Message received from Magnus Shier 12/18/2019 2:28:39 PM

MS

230 with materials for closet

12/19/2019

Message received from Magnus Shier 12/19/2019 12:06:24 PM

MS

About 11:30

12/23/2019

Message received from Magnus Shier 12/23/2019 3:41:33 PM

MS



Message received from Magnus Shier 12/23/2019 4:01:58 PM

MS

Broom fixed door locked

12/24/2019

Message received from Magnus Shier 12/24/2019 2:03:05 PM

MS

Merry Christmas see you Thursday AM

Message sent 12/24/2019 2:34:21 PM

Merry Christmas to you and Pat!

12/28/2019

Message received from Magnus Shier 12/28/2019 12:25:24 PM

MS

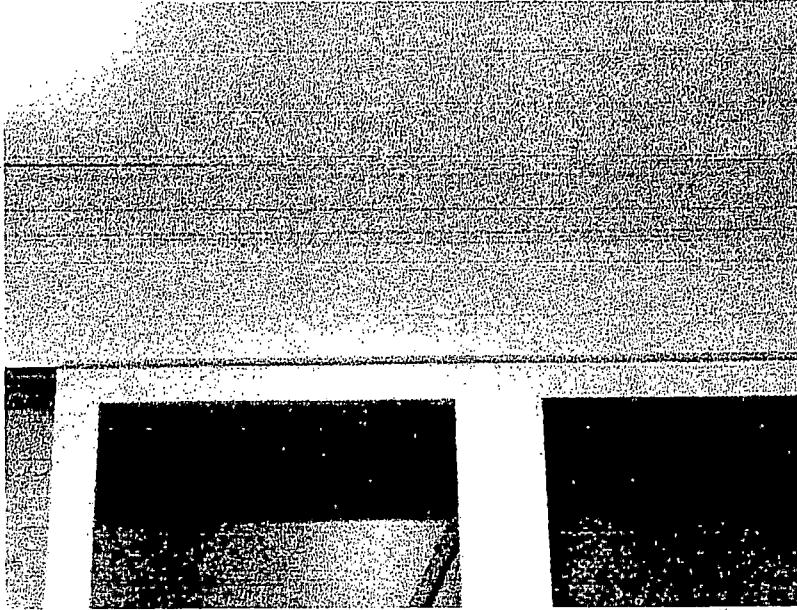
Not going to get there today

Message sent 12/28/2019 1:27:19 PM

K

Message received from Magnus Shier 1/8/2020 12:48:20 PM

MS



Message received from Magnus Shier 1/8/2020 1:46:58 PM

MS

Health care Rossann Santo 8434780689

Message sent 1/8/2020 2:17:43 PM

TU

1/9/2020

Message received from Magnus Shier 1/8/2020 9:06:26 PM

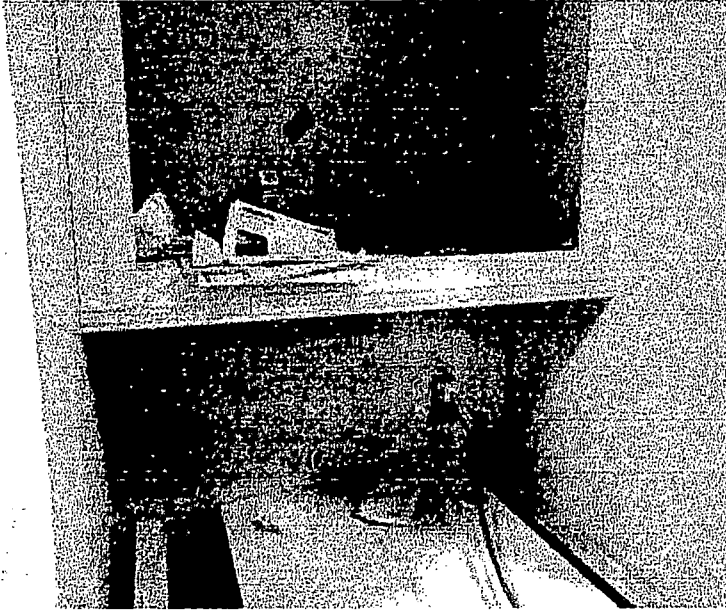
MS



1/15/2020

Message received from Magnus Shier 1/15/2020 3:26:17 PM

MS



1/16/2020

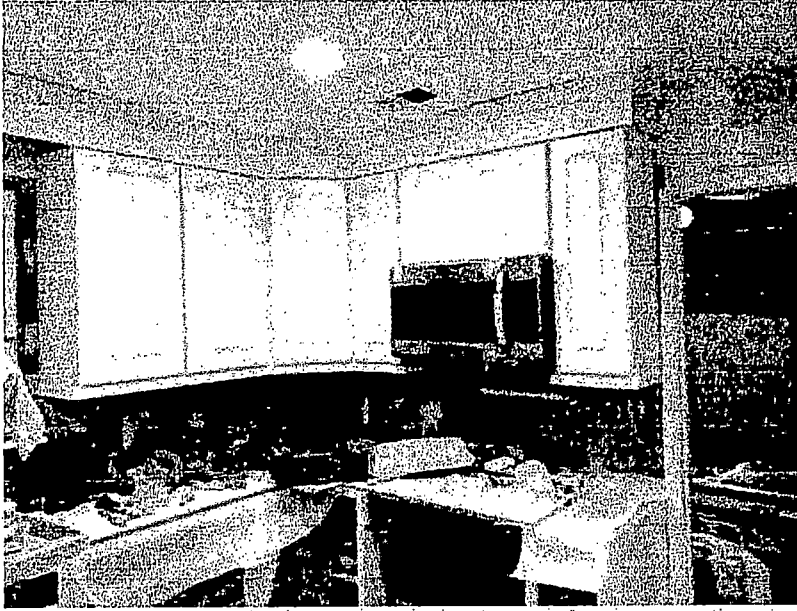
Message received from Magnus Shier 1/16/2020 3:27:40 PM

MS



Message received from Magnus Shier 1/16/2020 6:25:51 PM

MS



1/17/2020

Message received from Magnus Shier 1/17/2020 5:57:15 PM

MS



1/19/2020

Message received from Magnus Shier 1/18/2020 9:23:01 PM

MS



Message sent 1/19/2020 2:20:36 PM

Please install a steel shelving system of double channel hangers in the pantry. With 5 shelves at 16 inches on centers.

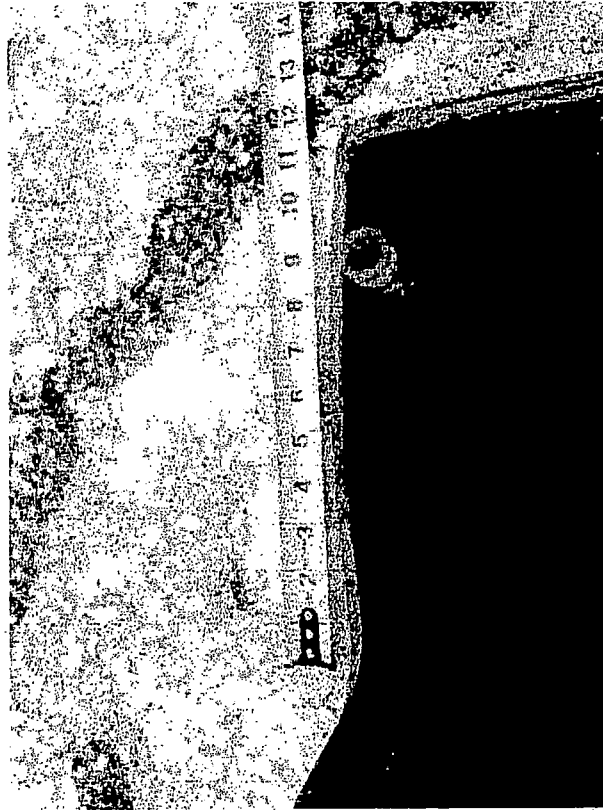
Message received from Magnus Shier 1/23/2020 9:10:30 AM

MS

On the way

Message received from Magnus Shier 1/23/2020 2:09:18 PM

MS



Message sent 1/23/2020 2:16:39 PM

6-3/8" will be fine

1/26/2020

Message received from Magnus Shier 1/26/2020 12:35:03 PM

MS

Going to see sick aunt be there AM tomorrow.

1/29/2020

Message received from Magnus Shier 1/28/2020 8:22:15 PM

MS

Meeting in morning.

Message sent 1/28/2020 8:53:39 PM

K

Message sent 1/29/2020 8:26:13 AM

Is the other base cabinet been delivered ?

Message received from Magnus Shier 1/29/2020 11:24:52 AM

MS

Yes

Message sent 1/29/2020 11:36:23 AM

Good.

Message received from Magnus Shier 1/29/2020 5:01:13 PM

MS

Pulls for large drawer centers right

Message sent 1/29/2020 5:03:12 PM

Yes

1/30/2020

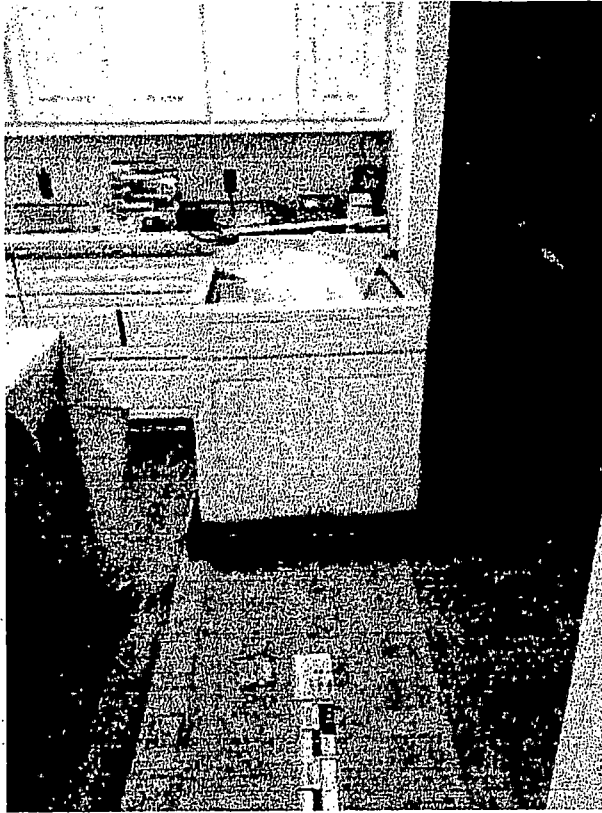
Message sent 1/30/2020 11:47:29 AM

Pick up your tools today, they are on the carport

2/3/2020

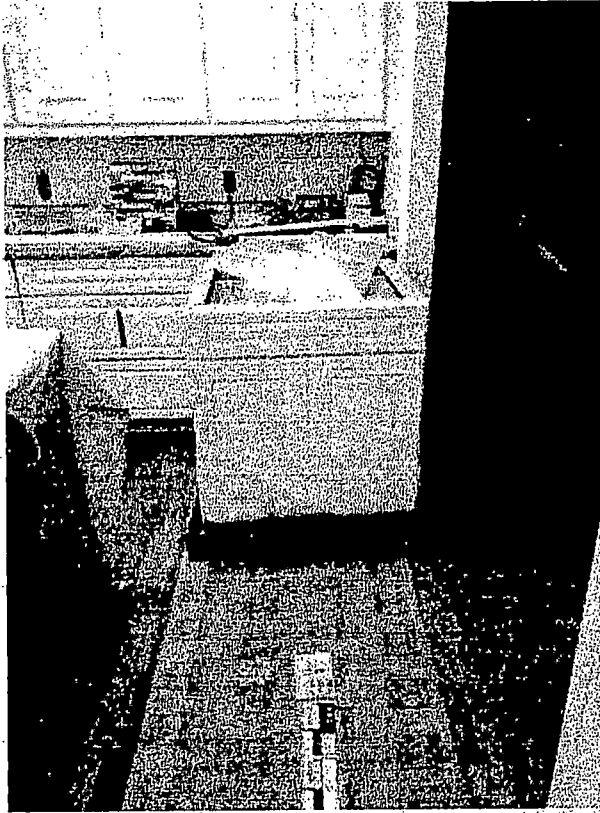
Message received from Magnus Shier 2/3/2020 12:38:22 PM

MS



Message received from Magnus Shier 2/3/2020 3:39:01 PM

MS



2/4/2020

Message received from Magnus Shier 2/4/2020 10:41:27 AM

MS

Trash can pullout door ships February 28

Message sent 2/4/2020 10:52:03 AM

K, TU

Message received from Magnus Shier 2/4/2020 11:32:19 AM

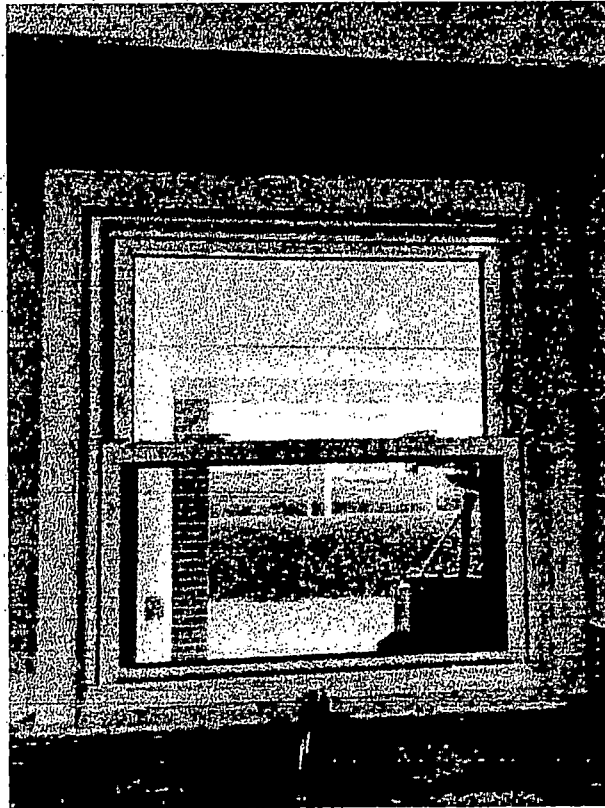
MS

Punch list

2/6/2020

Message received from Magnus Shier 2/6/2020 1:45:26 PM

MS



2/7/2020

Message received from Magnus Shier 2/7/2020 9:04:42 AM

MS

Money Today what time can we meet at your house

Message sent 2/7/2020 9:10:53 AM

3 Pm at Cabell street. tell Pat to bring her camera if she wants to take pictures.

Message received from Magnus Shier 2/7/2020 9:26:44 AM

MS

Ok

Message received from Magnus Shier 2/7/2020 4:57:49 PM

MS

When I come back I will put formula shims on door hinges

3/25/2020

Message received from Magnus Shier 3/25/2020 1:31:36 PM

MS

Next week by Friday will finish

Magnus >

iMessage

Mon, Feb 1, 1:02 PM

2021

2nd request: Can I pick up
the door for the garbage
cabinet?

Mon, Feb 8, 7:40 AM

2021

3rd request: can I pick up
the door for the garbage
cabinet?

Wed, Feb 10, 4:45 PM

2021

4th request: can I pick up
the door for the garbage
cabinet?

Magnus >

Sun, Feb 14, 9:35 PM

Withdraw your demand for
payment

Mon, Feb 15, 9:02 AM

Hold your breath on that
one.

Read 2/15/21

Mon, Feb 15, 3:58 PM

5th request: Can I pick up
the door for the garbage
cabinet?

Delivered

Conversation with Pat Oniel Edgewater kitchen

ATTACH # 4

Message received from Pat Oniel Edgewater kitchen 9/11/2019 2:14:25 PM

PK

Magnus is double checking information. Talk to you soon

9/12/2019

Message received from Pat Oniel Edgewater kitchen 9/12/2019 3:16:03 PM

PK



Message received from Pat Oniel Edgewater kitchen 9/12/2019 3:16:08 PM

PK

10/7/2019

Message received from Pat Oniel Edgewater kitchen 10/7/2019 2:00:12 PM

PK

Hi Dan, Magnus said he would take care of cabinets for you. Sorry called you by mistake

10/9/2019

Message received from Pat Oniel Edgewater kitchen 10/8/2019 9:46:46 PM

PK

11/25/2019

Message received from Pat Oniel Edgewater kitchen 11/25/2019 2:40:28 PM

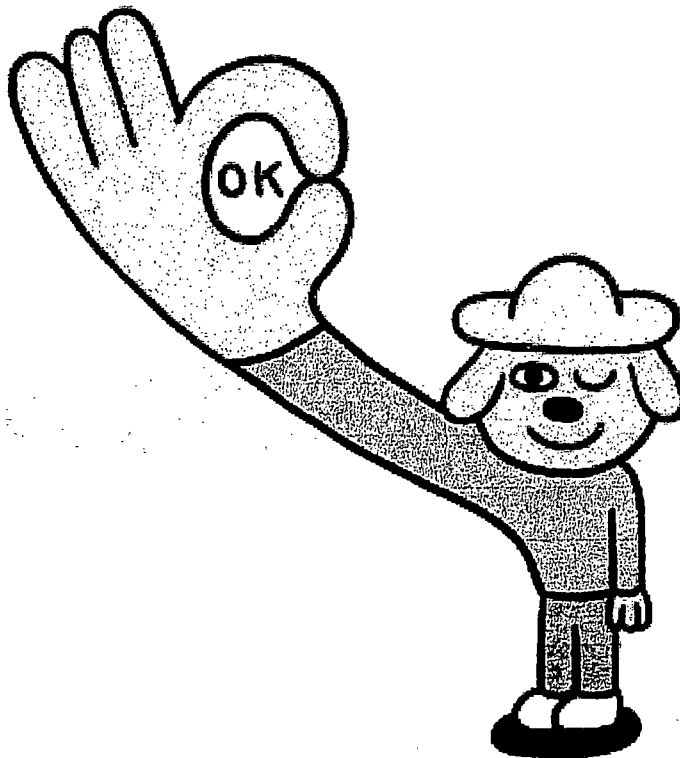
PK

Sorry I called you by mistake. Hope all is going well with you and family.
Happy Thanksgiving to all. Patt O'Neil Edgewater Kitchens

1/17/2020

Message received from Pat Oniel Edgewater kitchen 1/17/2020 6:00:22 PM

PK



Message received from Pat Oniel Edgewater kitchen 1/17/2020 6:00:24 PM

PK

Looks good

Message received from Pat Oniel Edgewater kitchen 1/17/2020 6:00:47 PM

PK

Message received from Pat Oniel Edgewater kitchen 1/17/2020 6:01:05 PM

PK

Time to partym

2/4/2020

Message received from Pat Oniel Edgewater kitchen 2/4/2020 10:32:51 AM

PK

We received order acknowledgement from cabinet people. They will ship island door on Feb. 28

Message sent 2/4/2020 10:34:30 AM

K

Message sent 2/4/2020 10:34:35 AM

TU

2/6/2020

Message received from Pat Oniel Edgewater kitchen 2/6/2020 4:24:06 PM

PK

Looks Great

4/16/2020

Message sent 4/16/2020 6:25:02 PM

Pat, if I could come by and pick up the door and trim kit, I can finish the island. My son's are not comfortable with Magnus coming back into the house.

Message received from Pat Oniel Edgewater kitchen 4/16/2020 6:26:24 PM

PK

I will talk to Magnus and get back to you.

Message sent 4/16/2020 6:27:14 PM

They do not want to clean up after him again.

Message received from Pat Oniel Edgewater kitchen 4/16/2020 6:28:07 PM

PK

I will tell him that.

4/21/2020

Message sent 4/21/2020 12:56:55 PM

Pat,
When would be a good time for me to come by the office and pick up the door and remaining trim for the island?

Message received from Pat Oniel Edgewater kitchen 4/21/2020 12:59:30 PM

PK

Magnus was suppose to call you, I will remind him.

Message received from Pat Oniel Edgewater kitchen 4/21/2020 1:03:56 PM

PK

He said to call him in the morning. 843 364 3700

Message sent 4/21/2020 1:44:23 PM

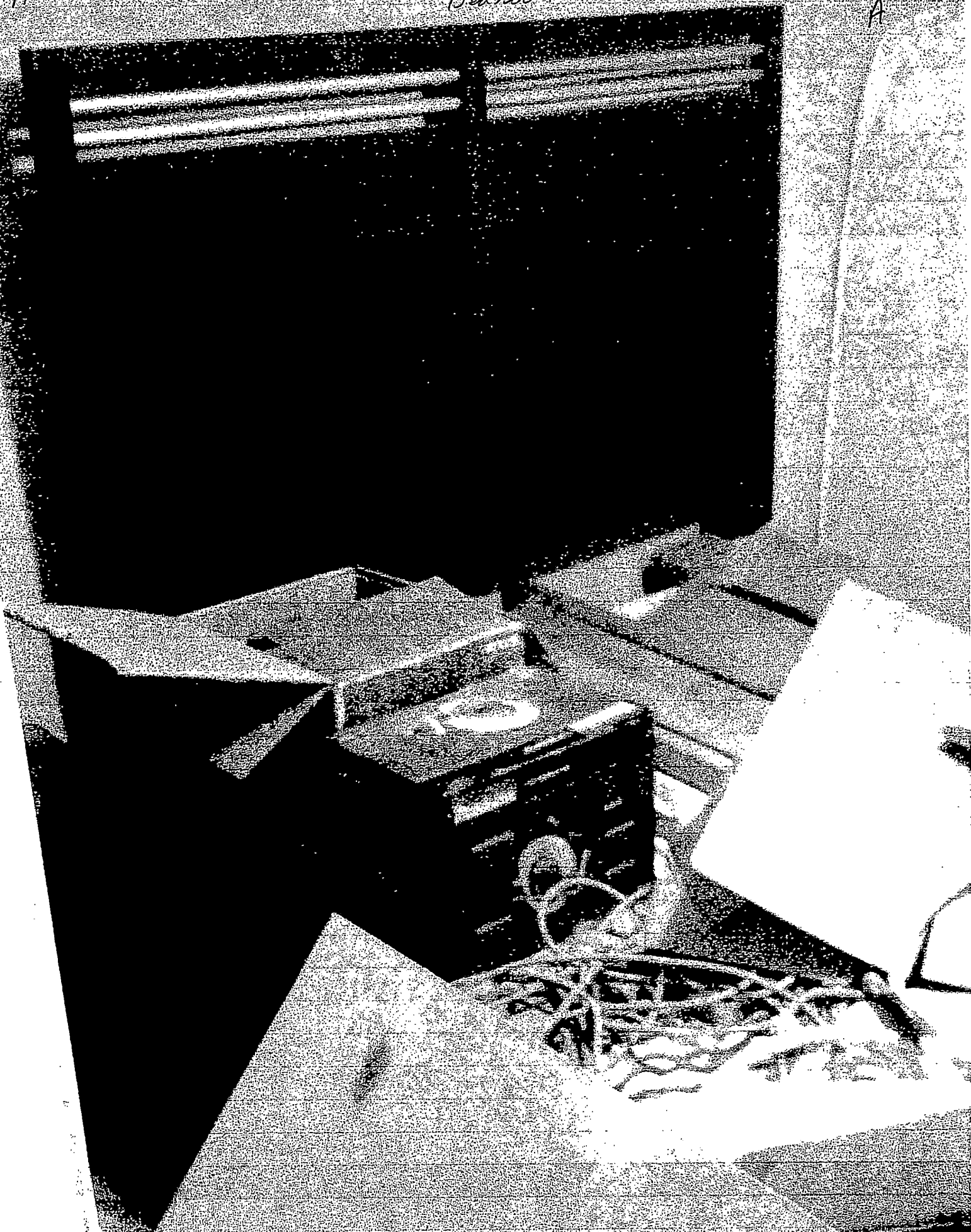
K

A

Bedroom

1/24/20 ATTACH # 5

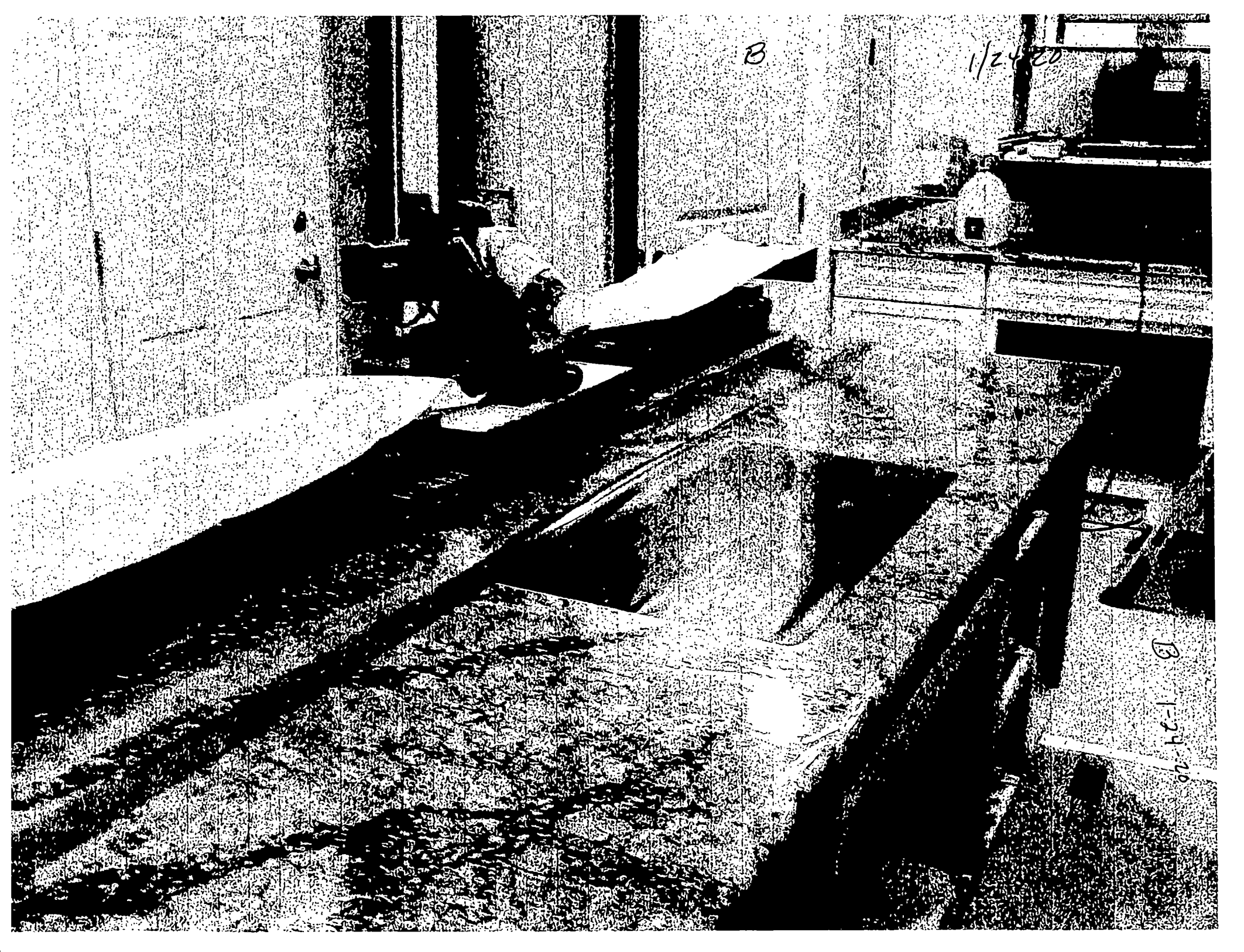
A



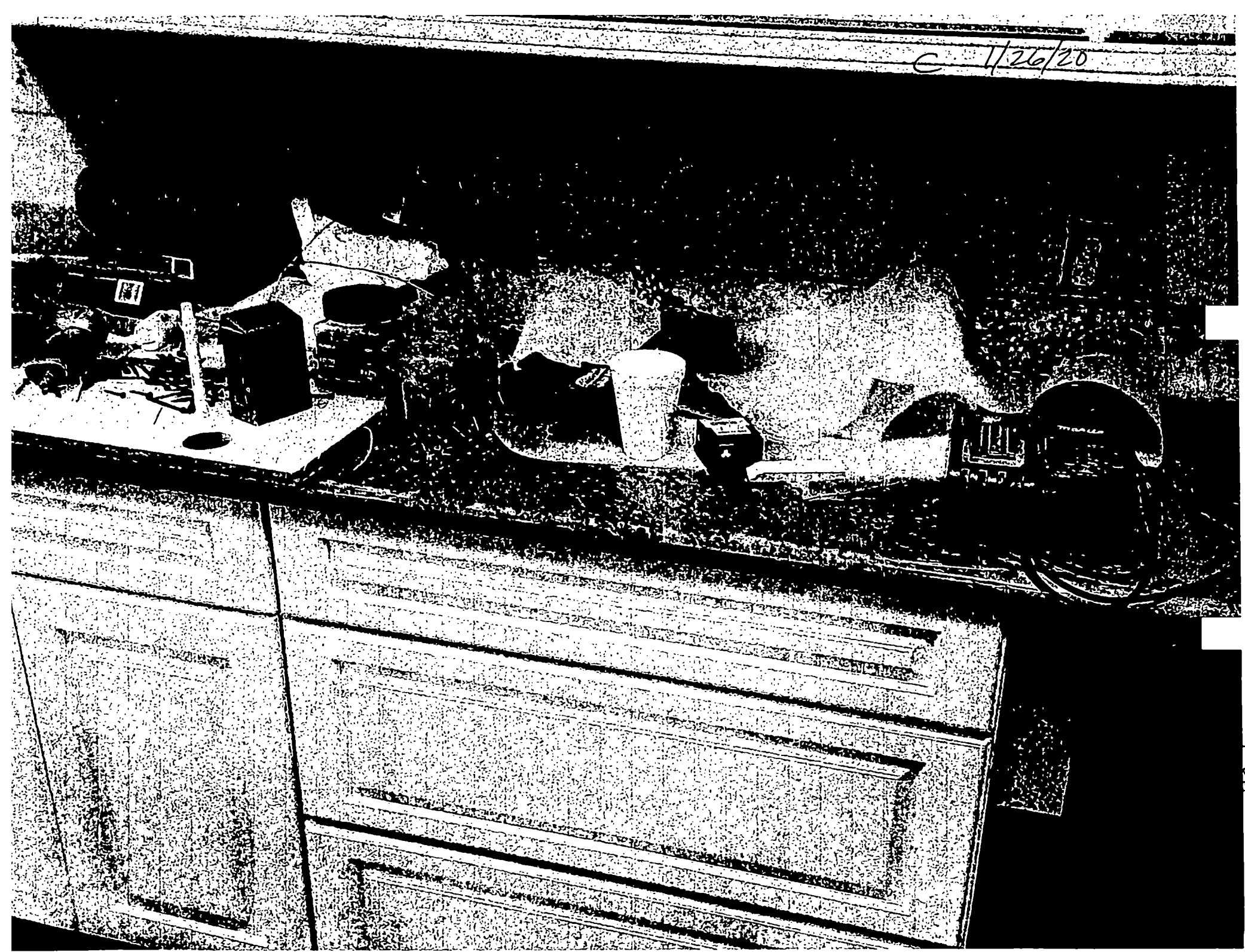
B

1/24/20

B
1-24-20



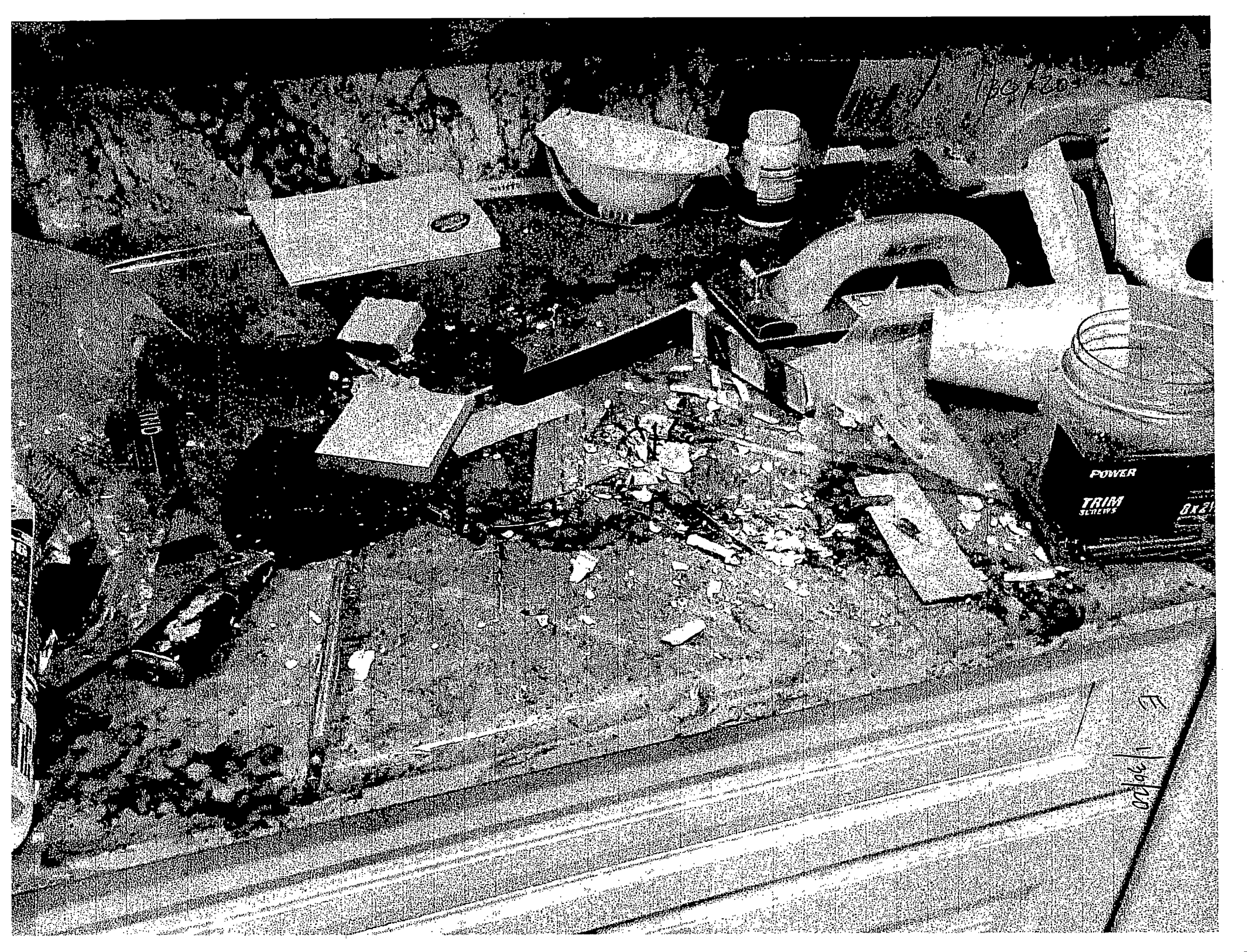
C 1/26/20



1-26-20

02-01-1980
D. W. 1132





IND

POWER

TRIM

EX21

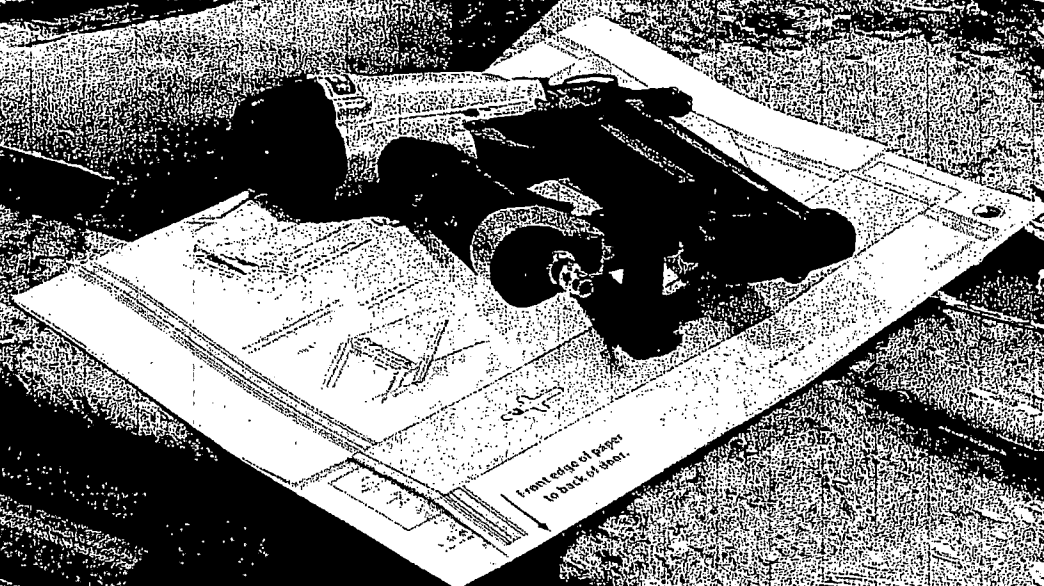
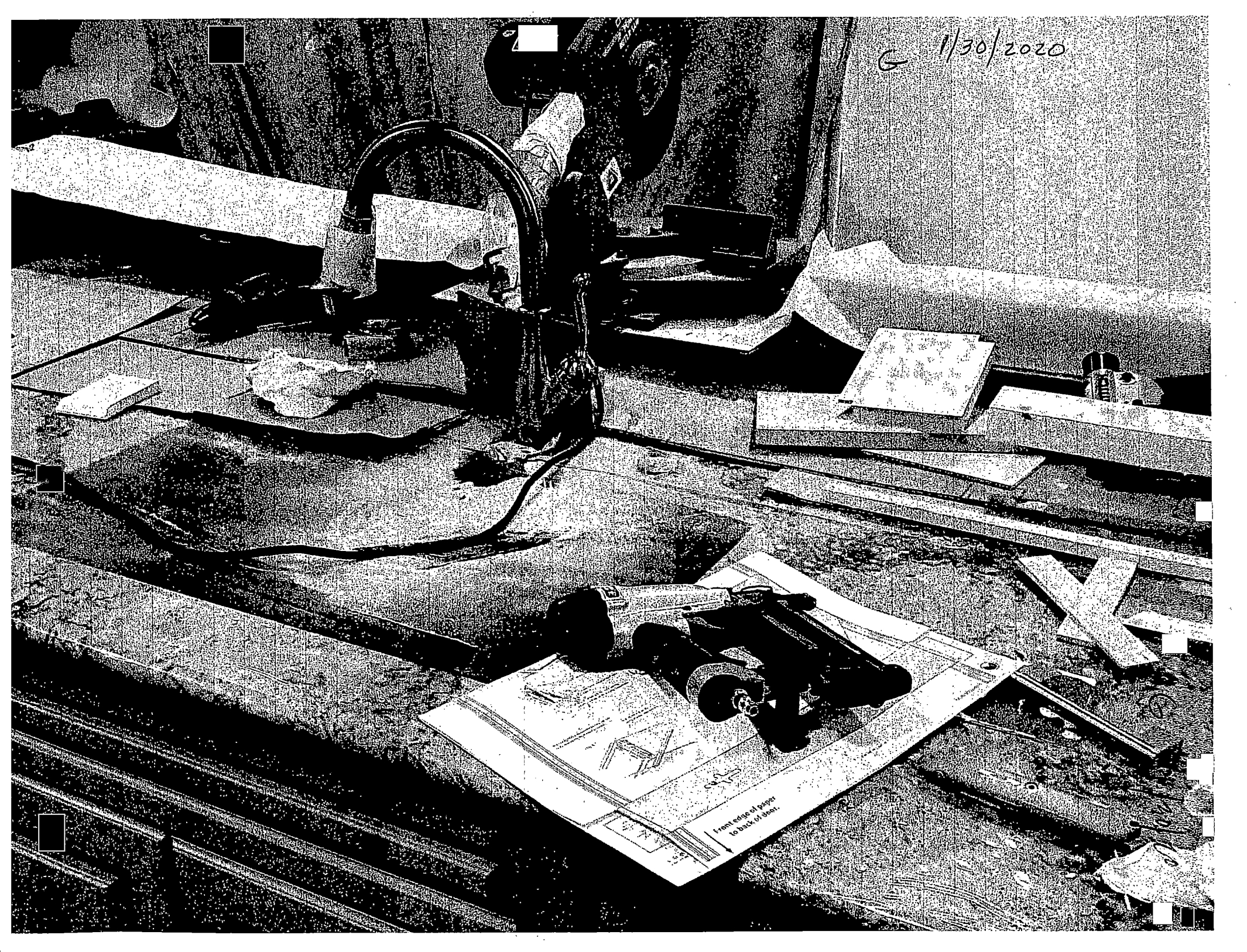
E
1/30/00

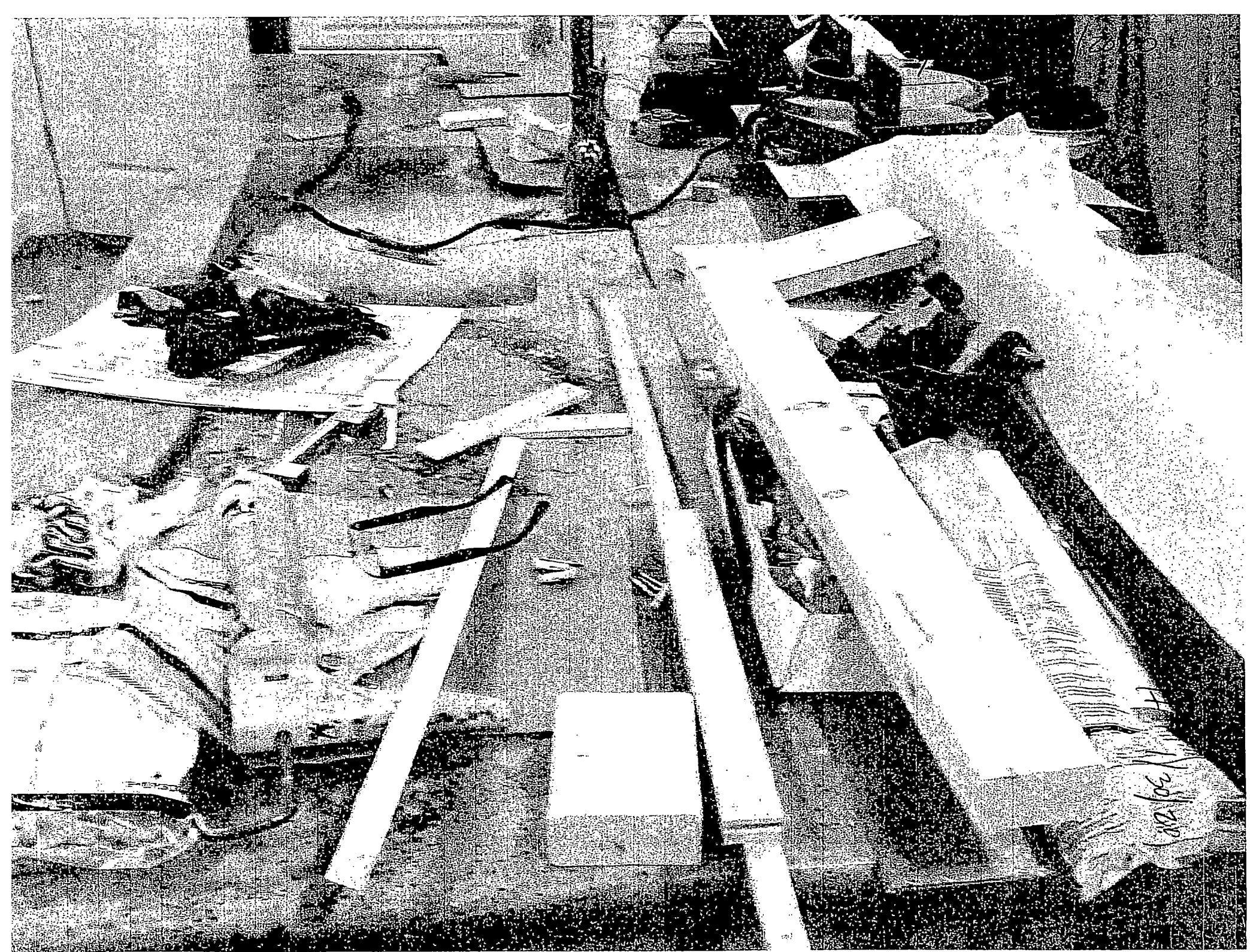
1/30/26



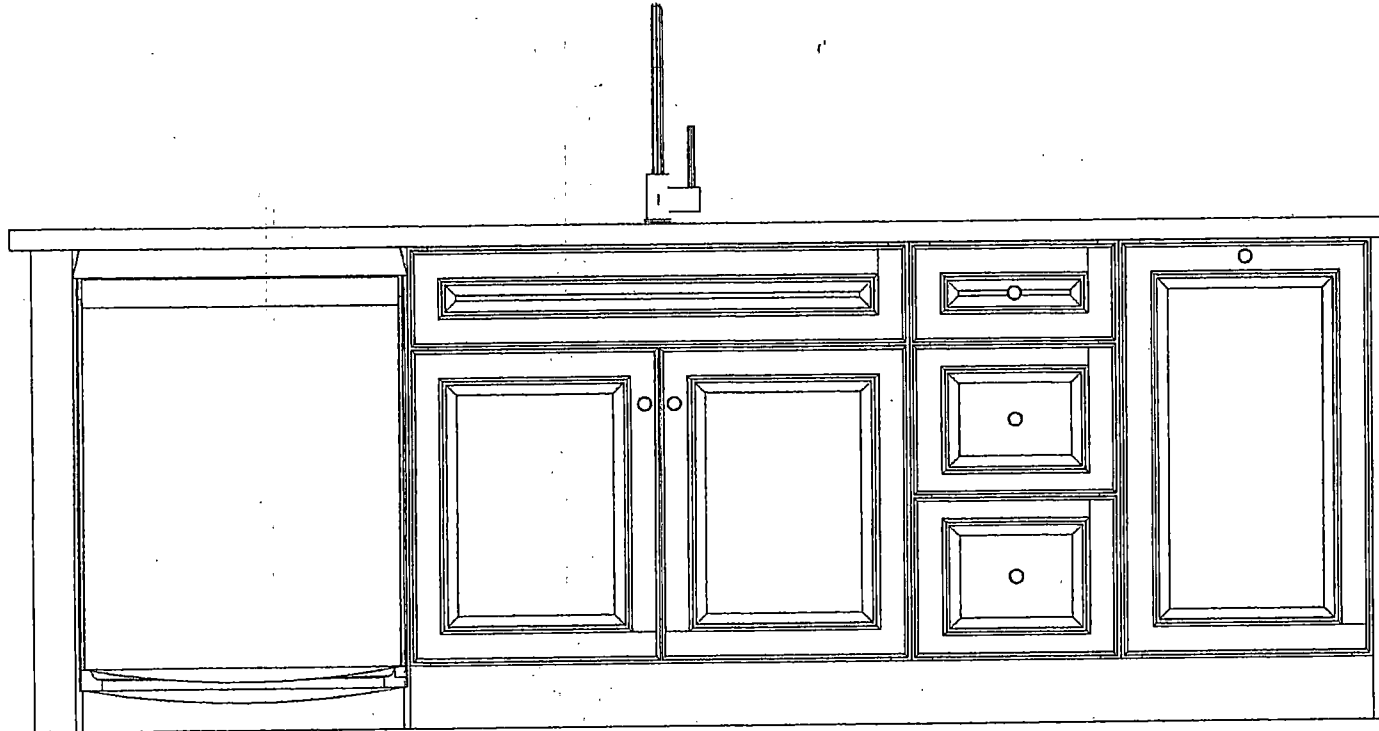
1-30-70

1/30/2020





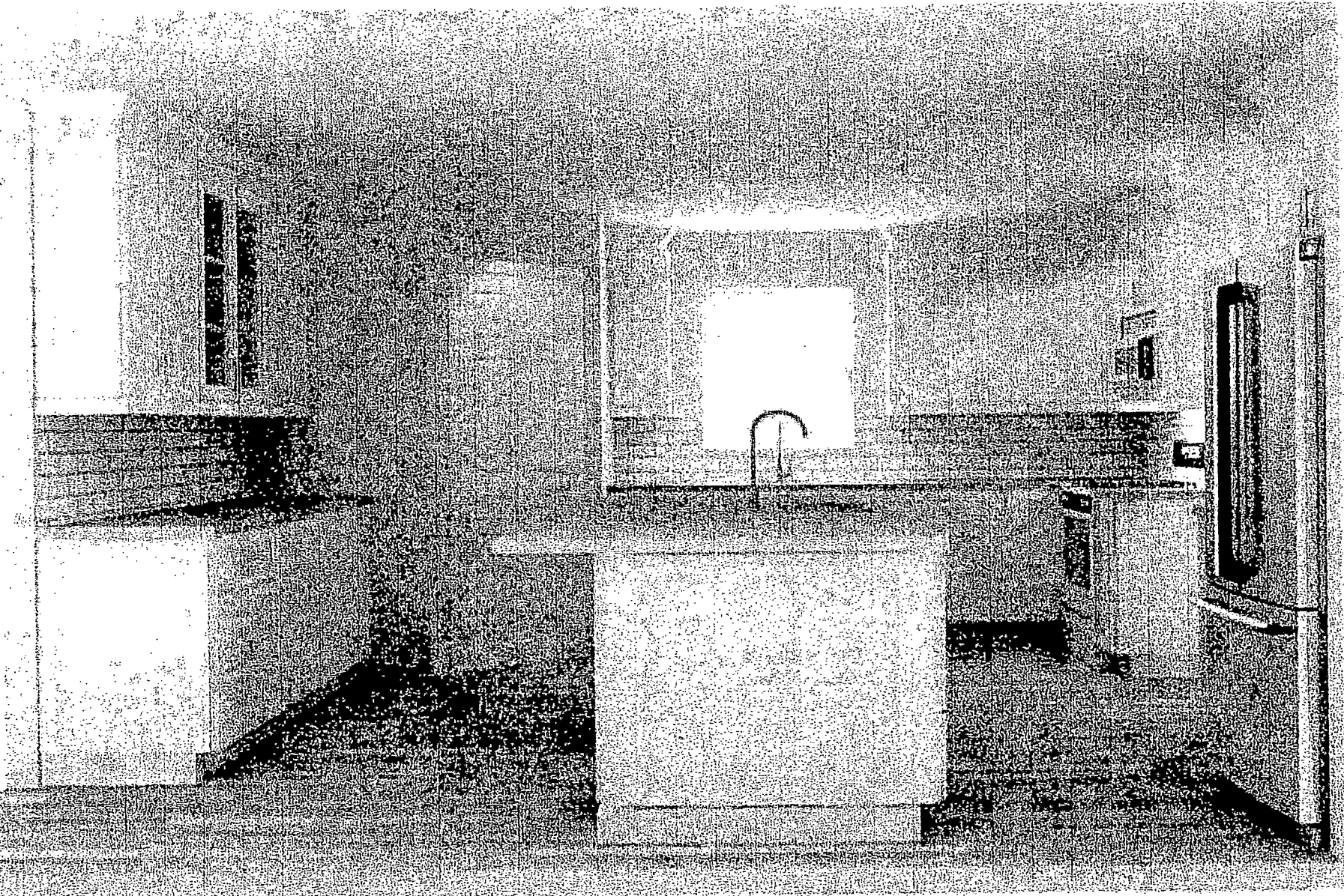




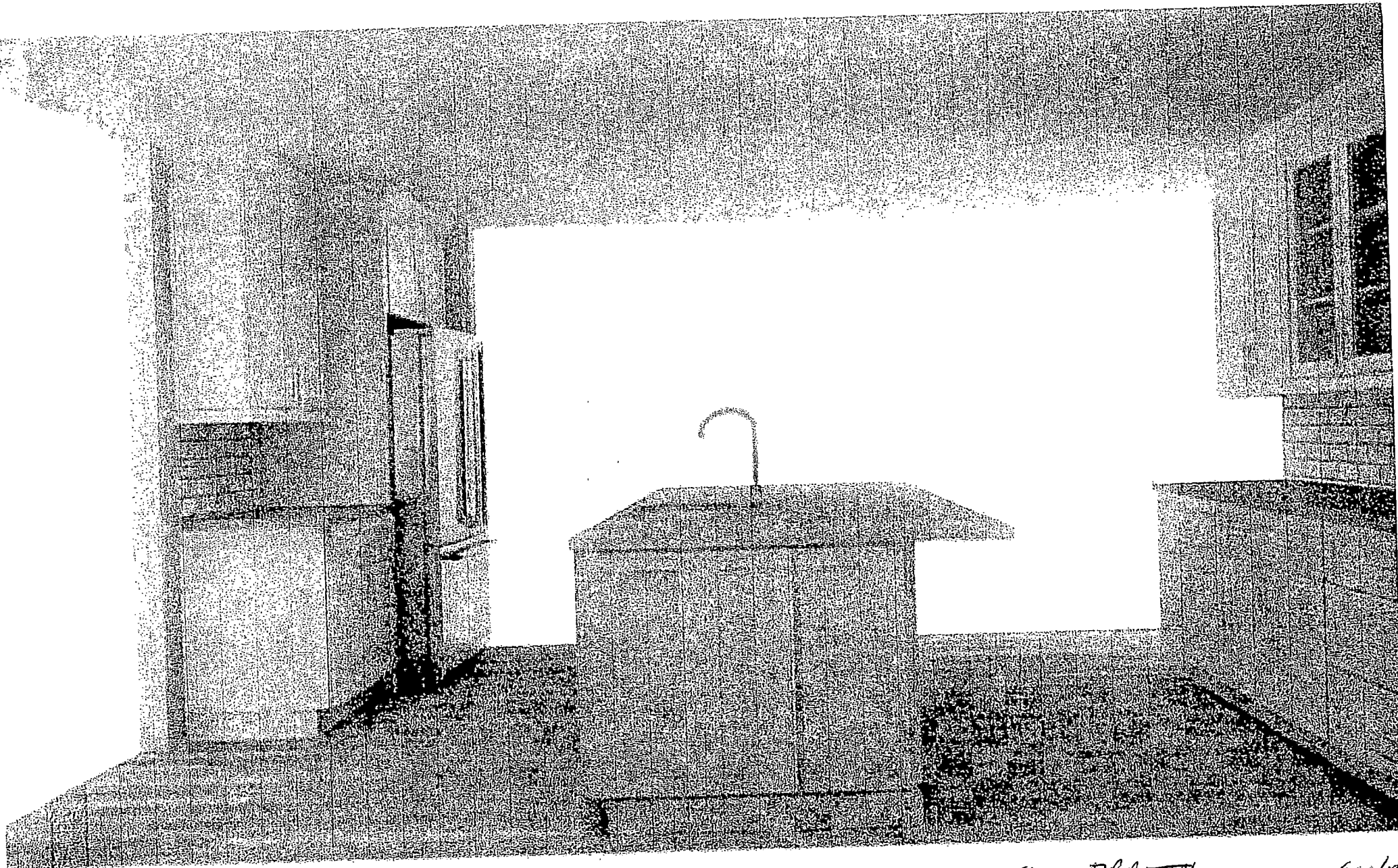
Note: This drawing is an artistic interpretation of the general appearance of the design. It is not meant to be an exact rendition.

2020

Designed: 9/11/2019
Printed: 9/11/2019

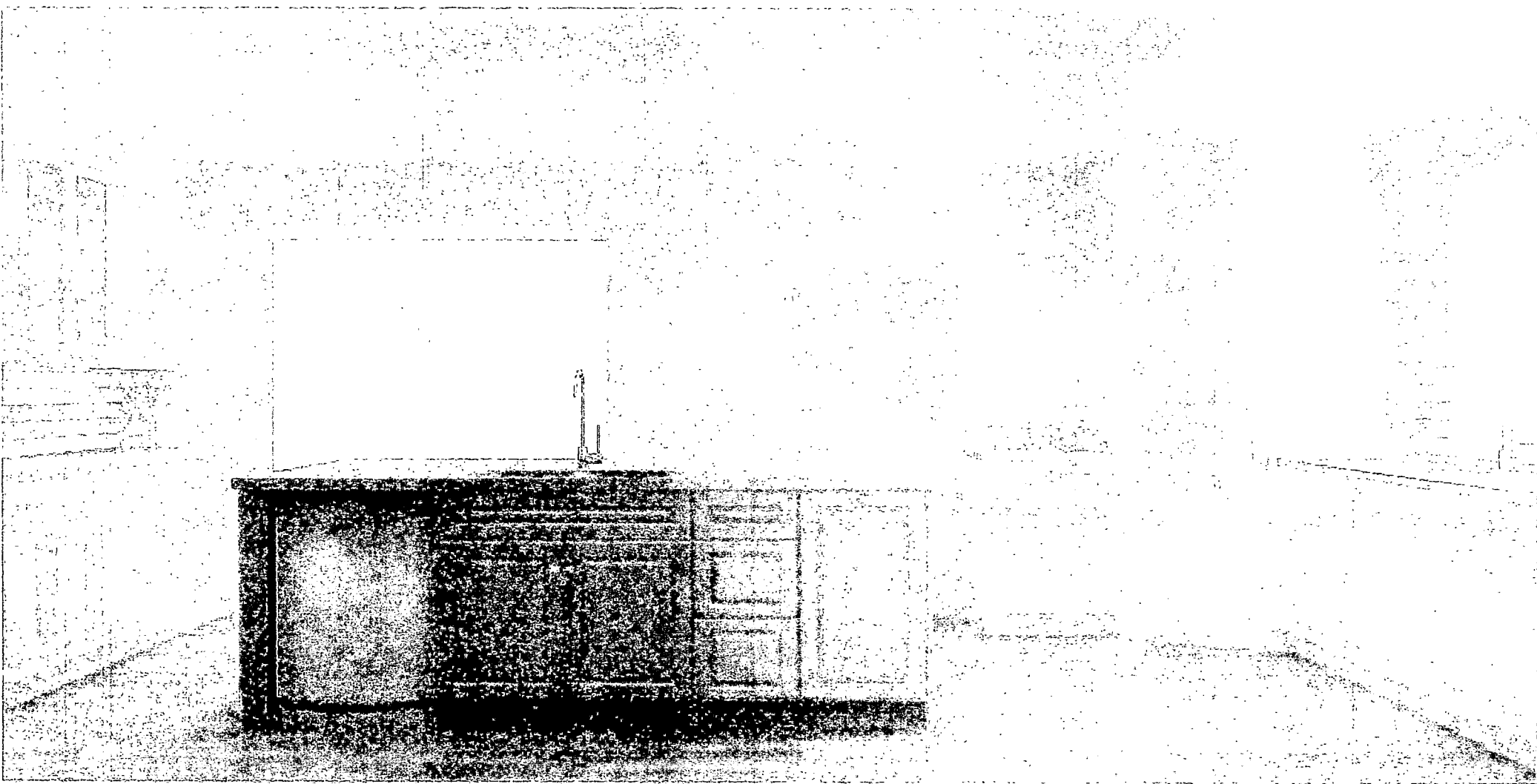


ARTISTIC Picture
NOT TO SCALE

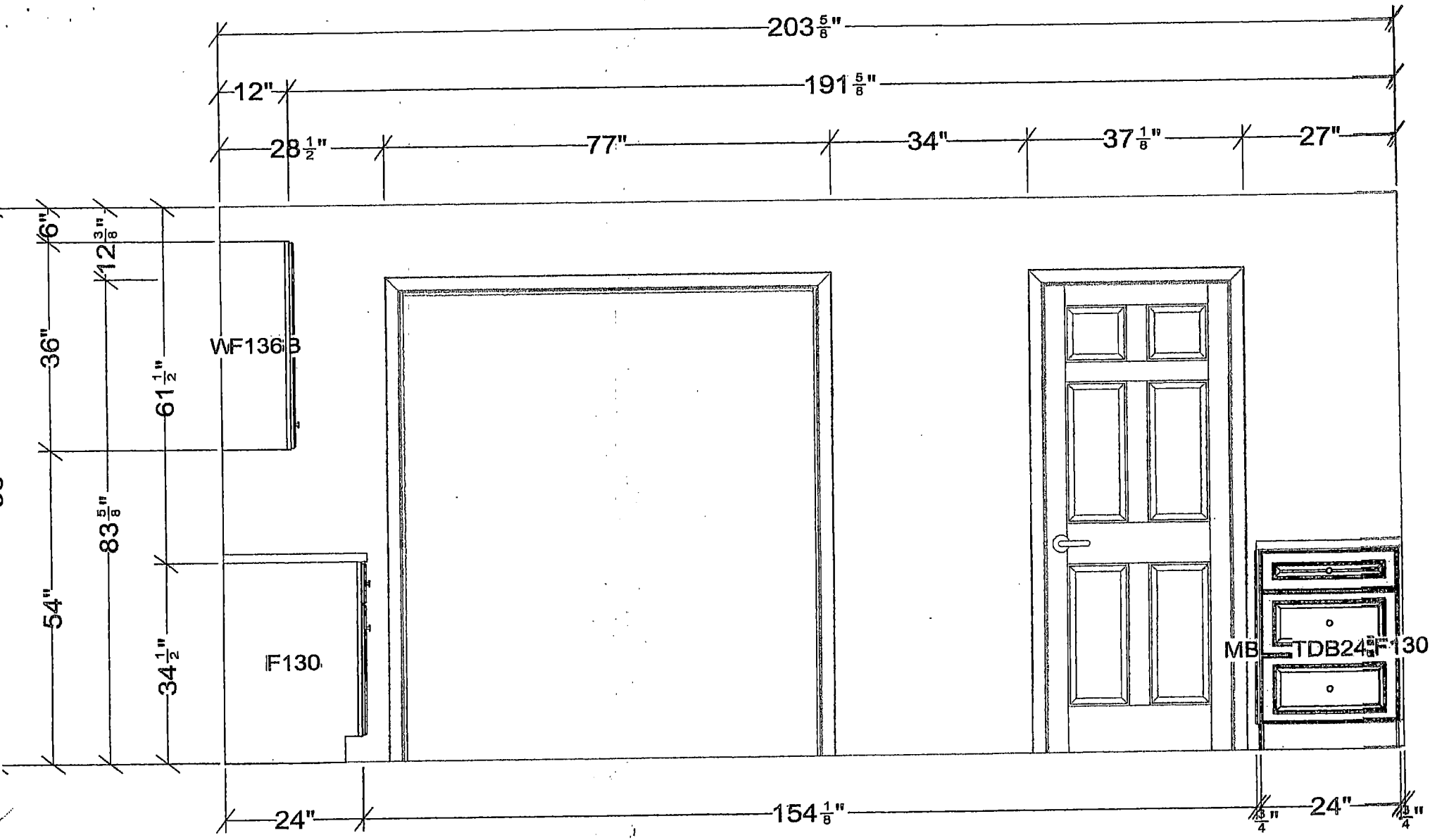


ARTISTIC DRAWING NOT TO SCALE
Picture

CC



2a



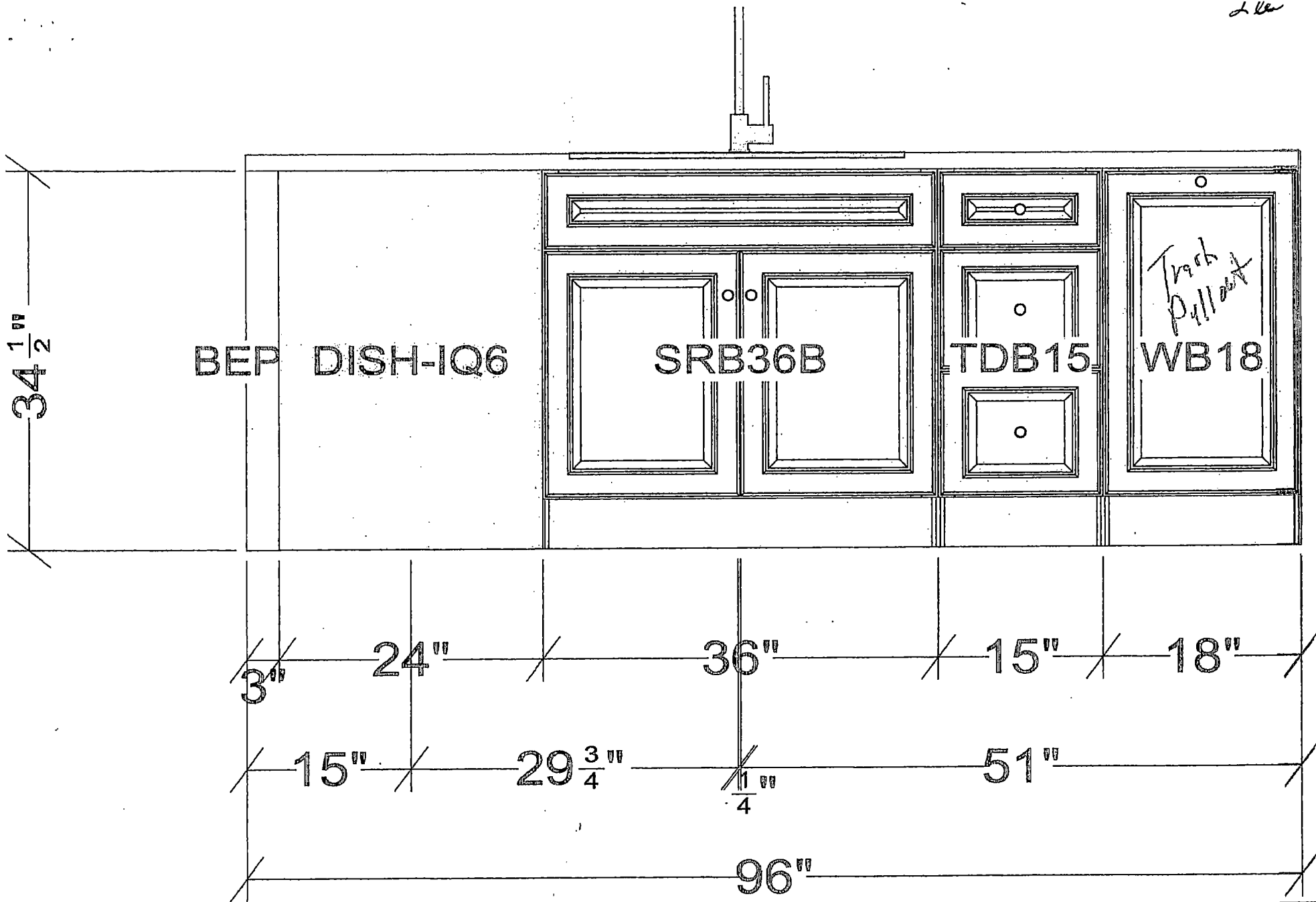
All dimensions & size designations given are subject to verification on job site and adjustment to fit job conditions.

2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
Printed: 9/11/2019

L. K.



All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.

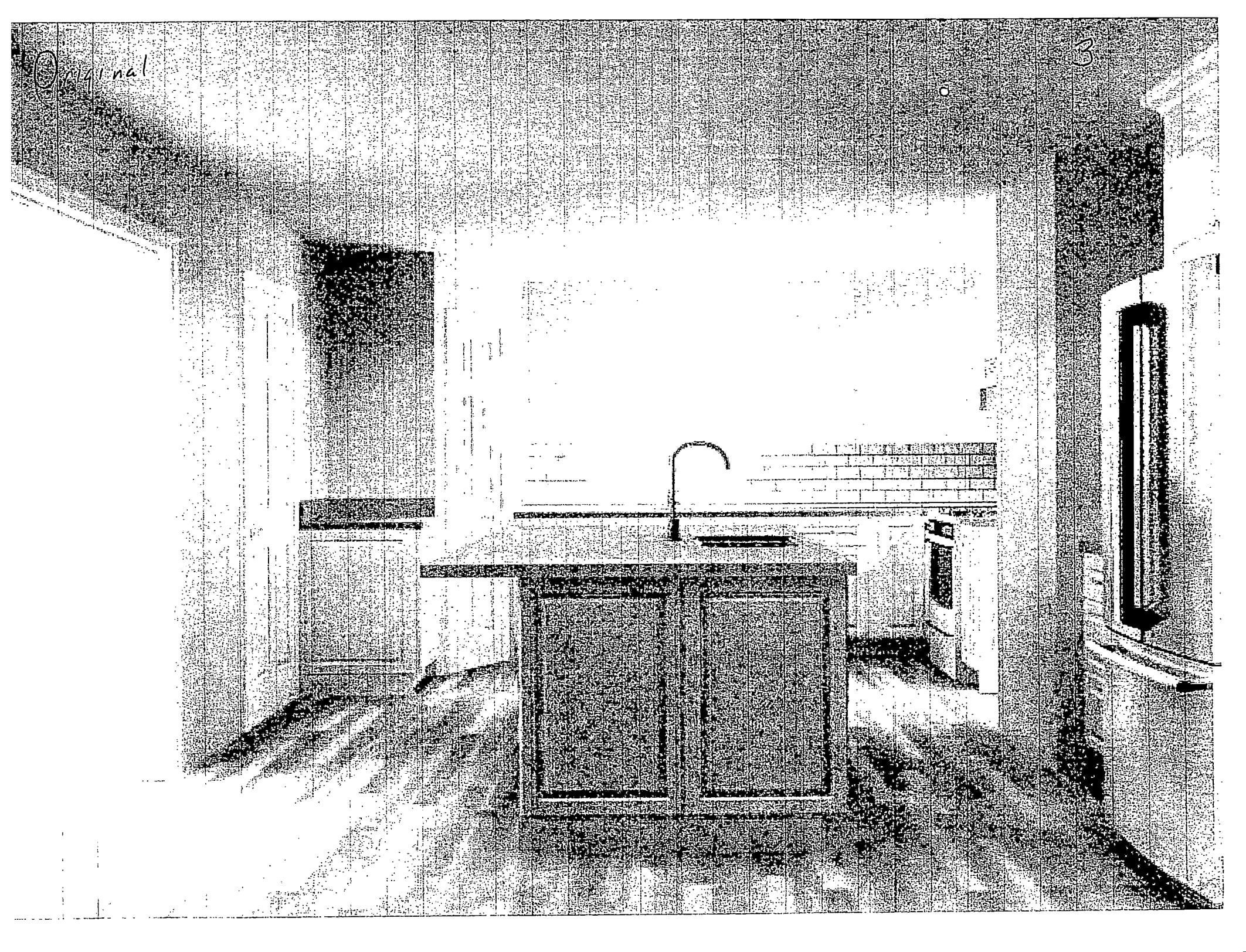
2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
Printed: 9/11/2019

Original

3



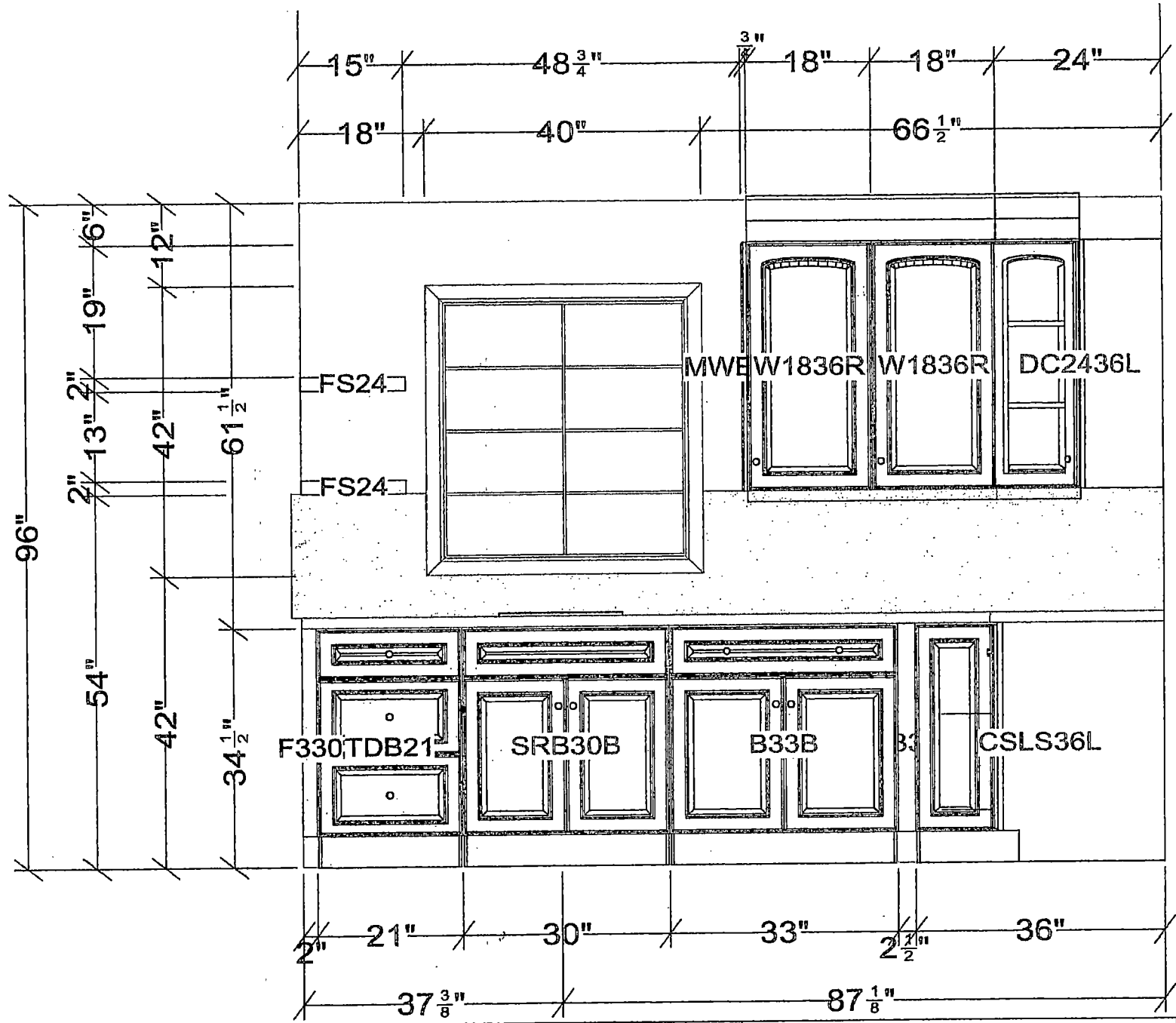
00

3

3



JLL



All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.

2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

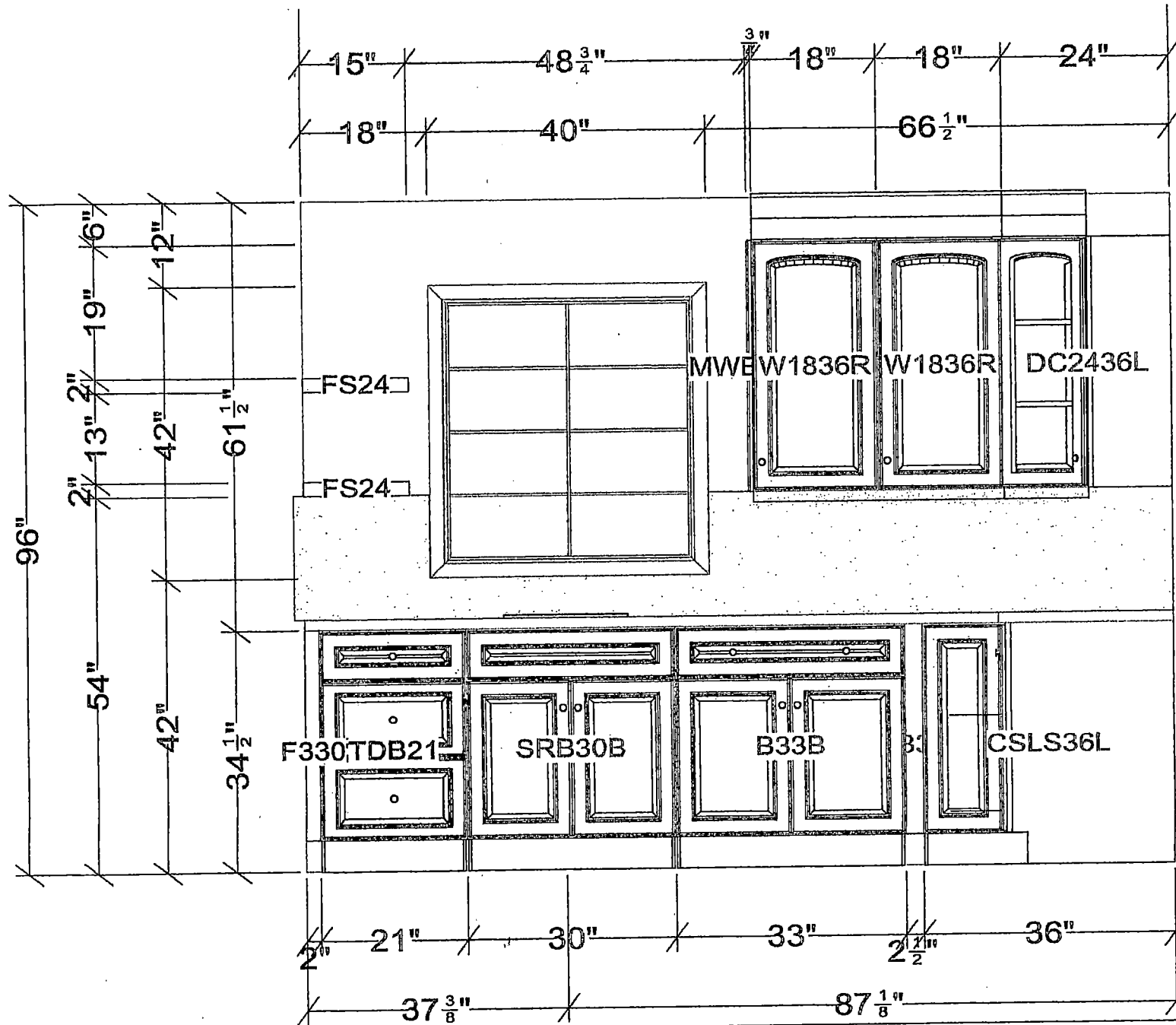
Designed: 9/11/2019
Printed: 9/11/2019

C

4

H





4a

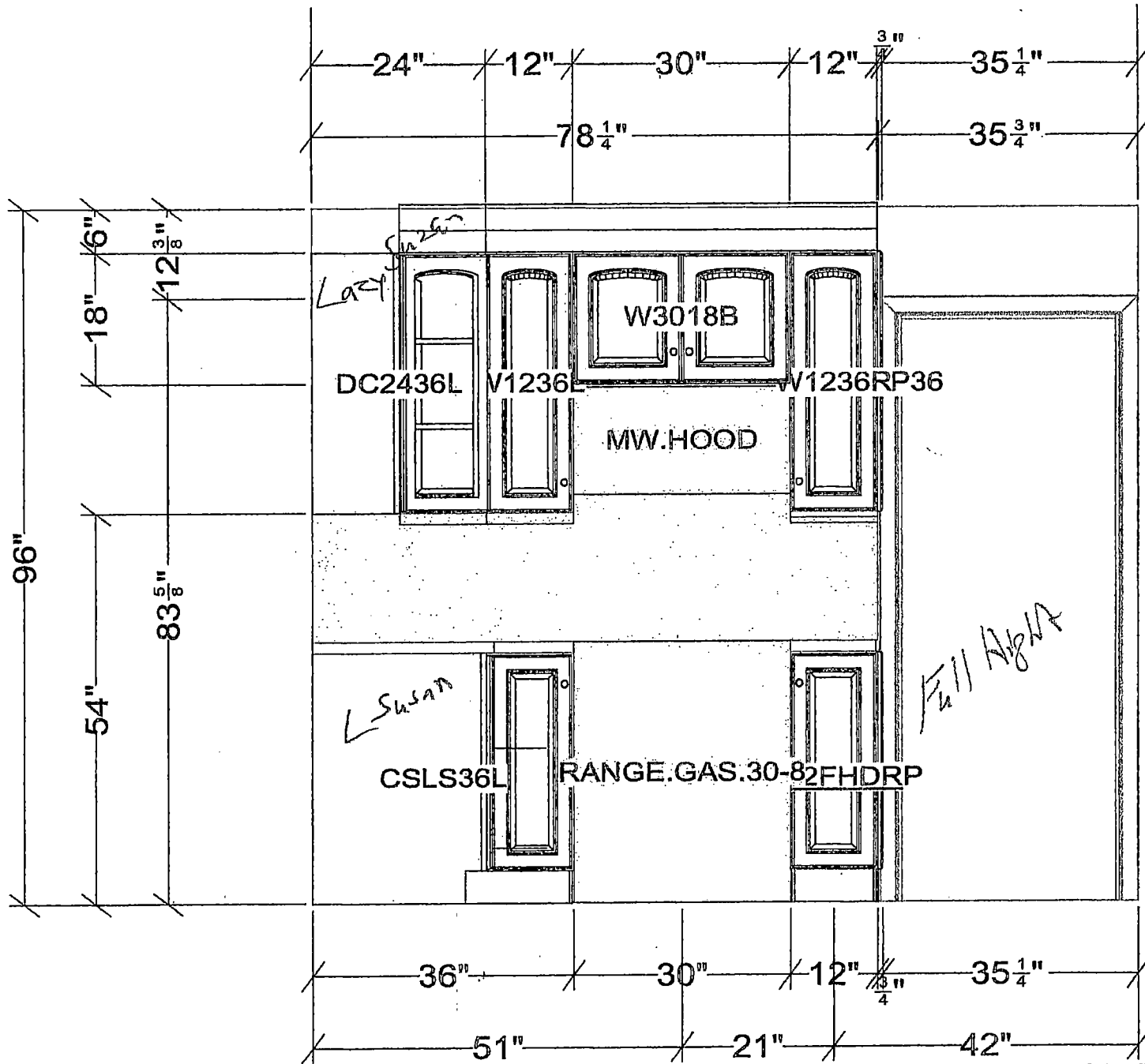
All dimensions & size designations given are subject to verification on job site and adjustment to fit job conditions.

2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
Printed: 9/11/2019

46



All dimensions and size designations given are subject to verification on job site and adjustment to fit job conditions.

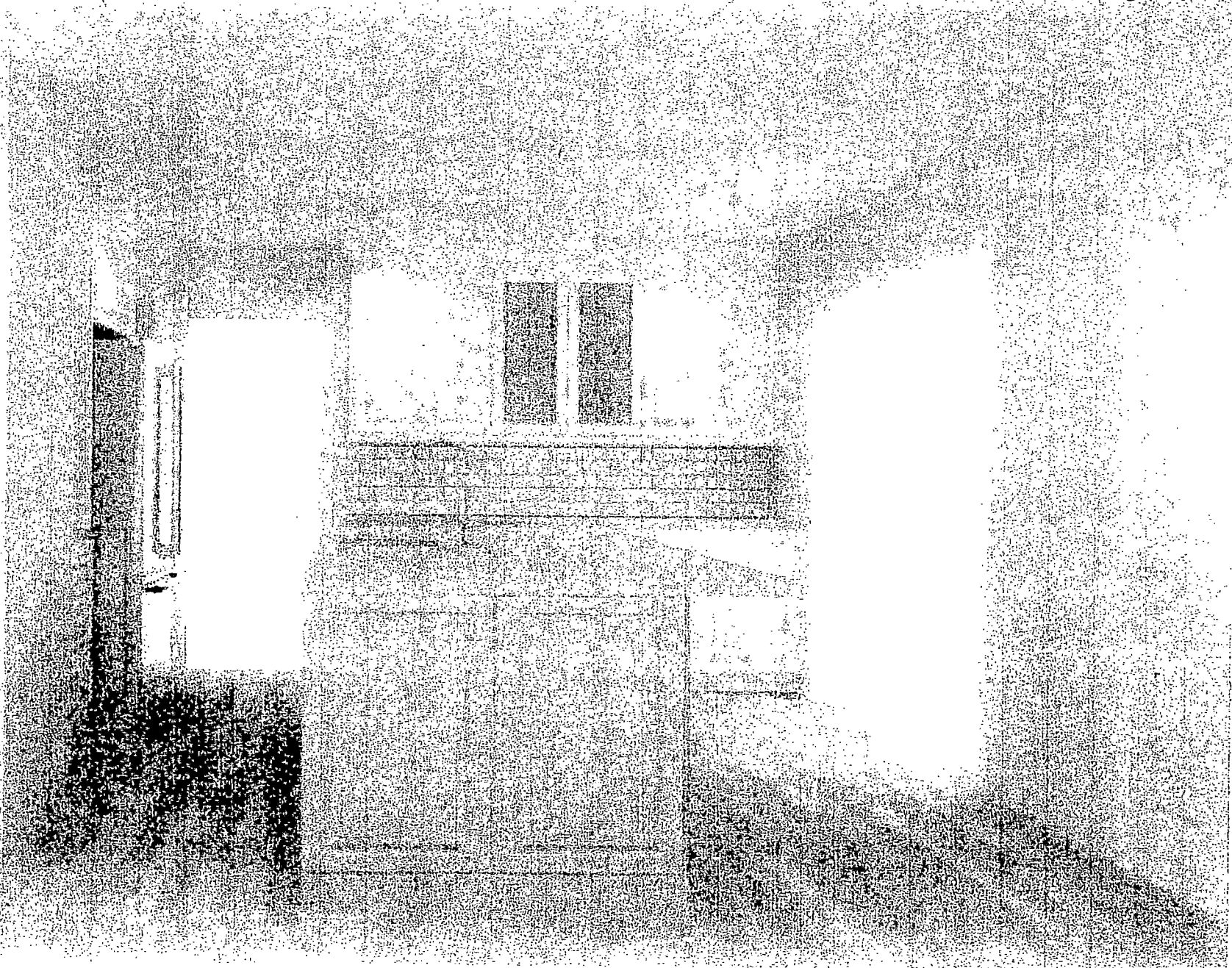
2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

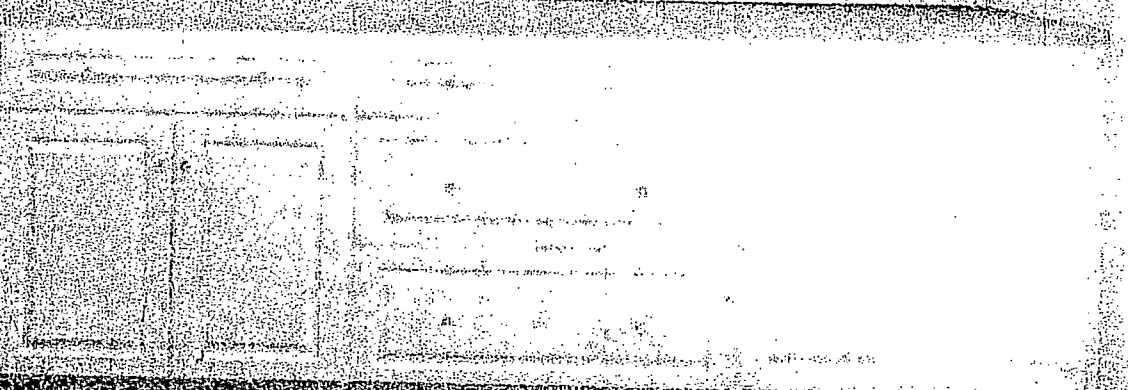
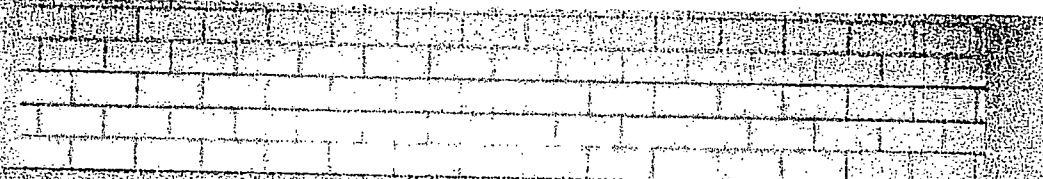
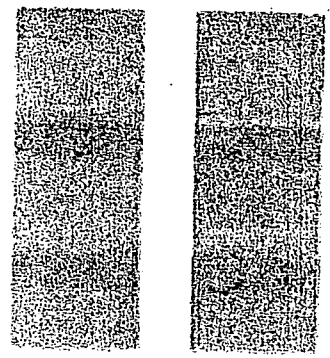
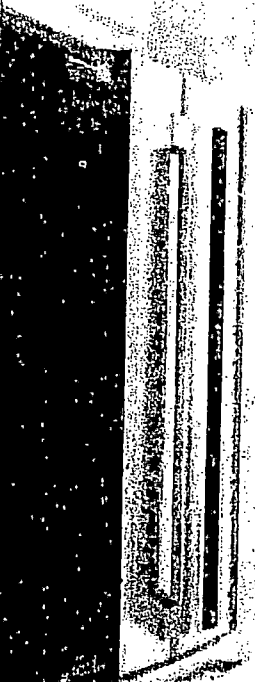
Designed: 9/11/2019
Printed: 9/11/2019

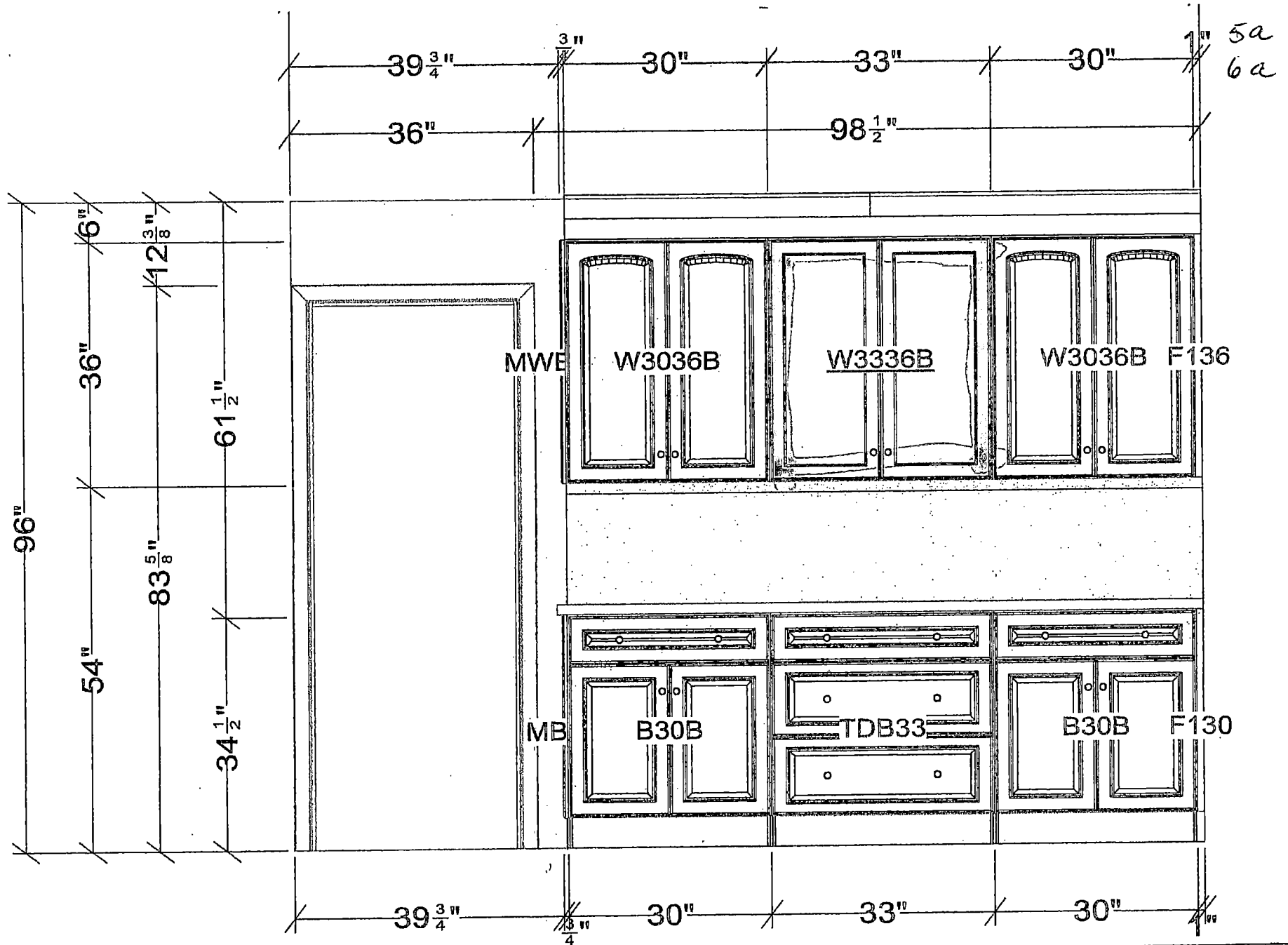
2

5-5



C





All dimensions & size designations given are subject to verification on job site and adjustment to fit job conditions.

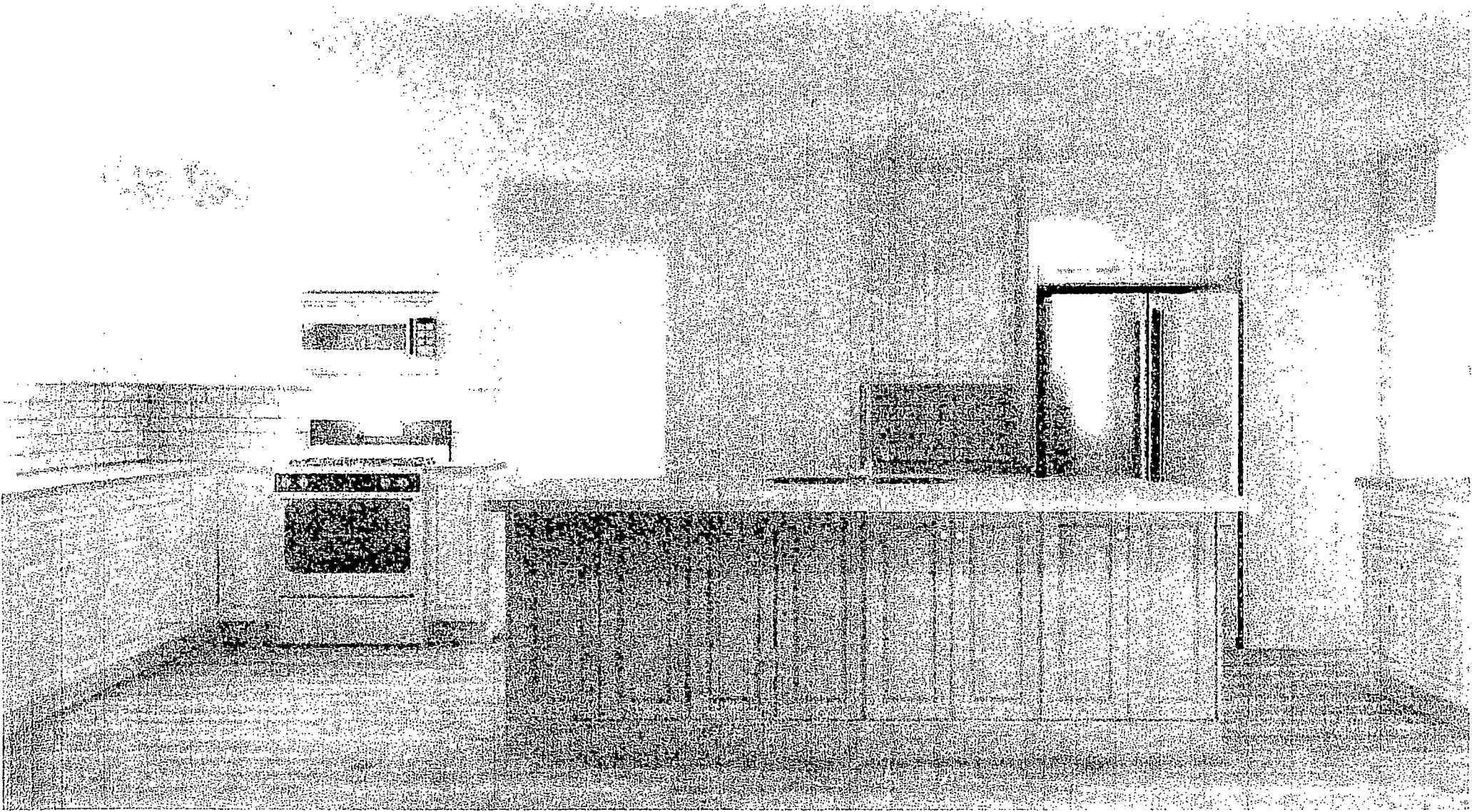
2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
Printed: 9/11/2019

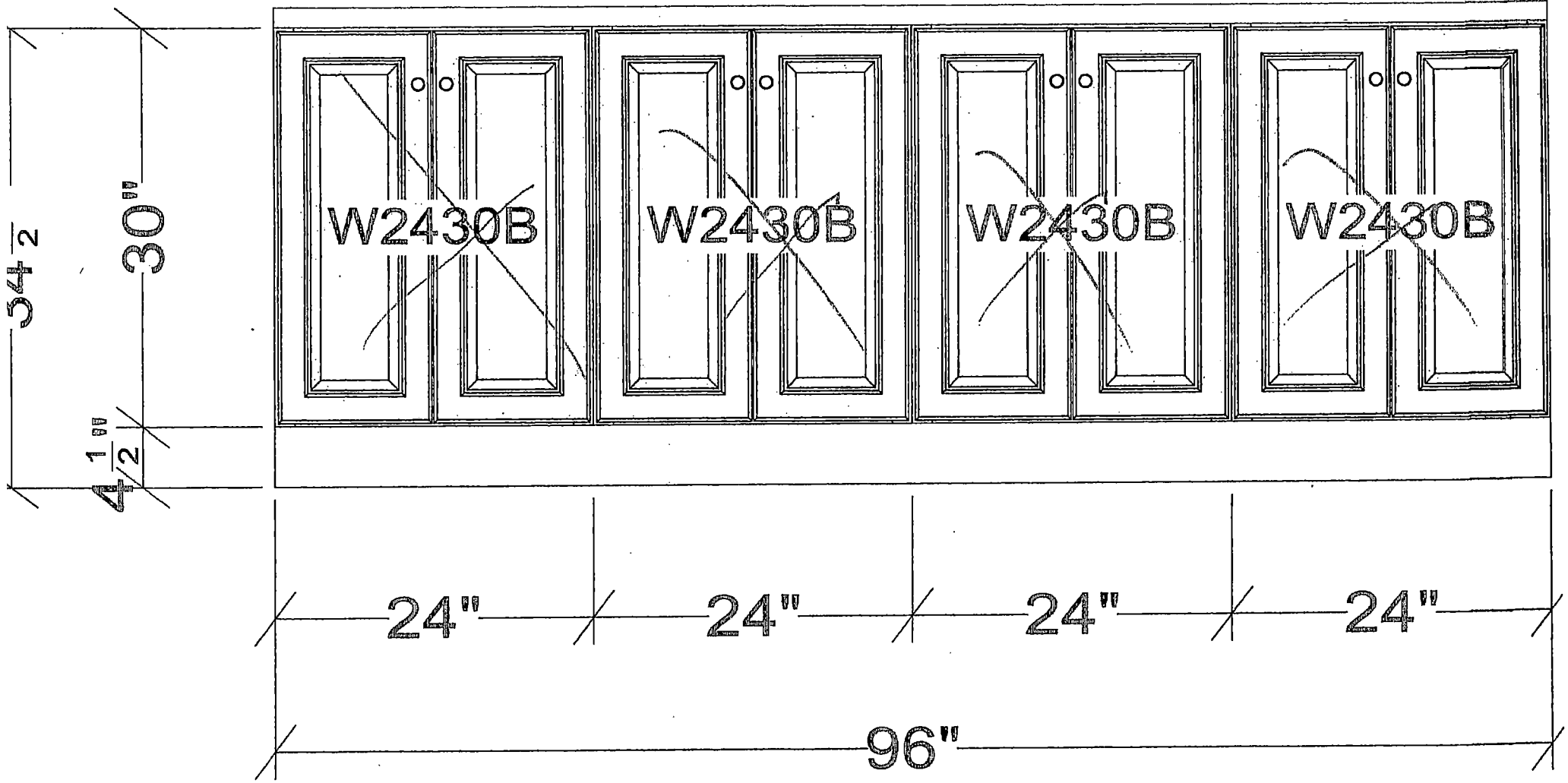
Copy

20



2

7a

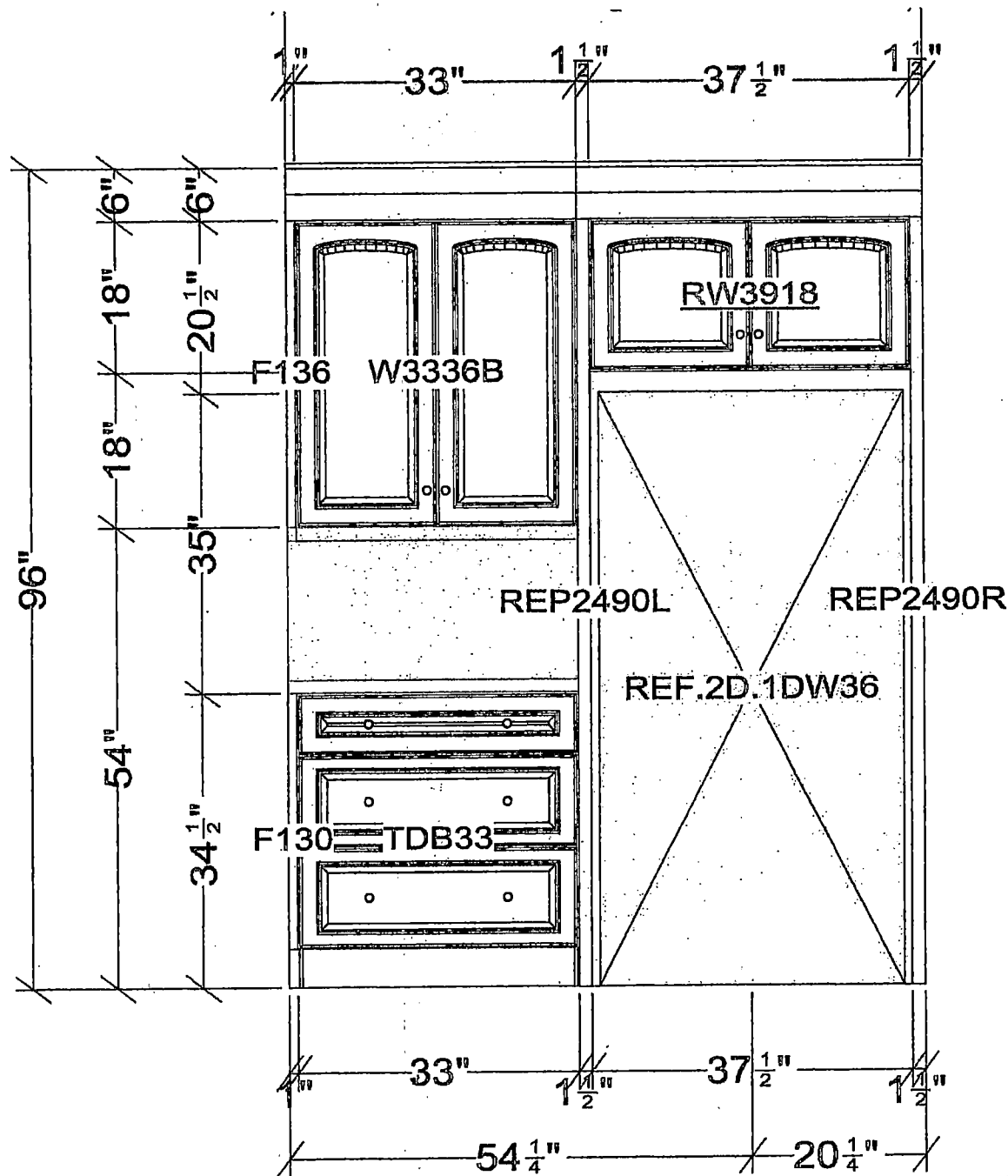


All dimensions and size designations given are subject to verification on job site and adjustment to fit job conditions.

2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
Printed: 9/11/2019

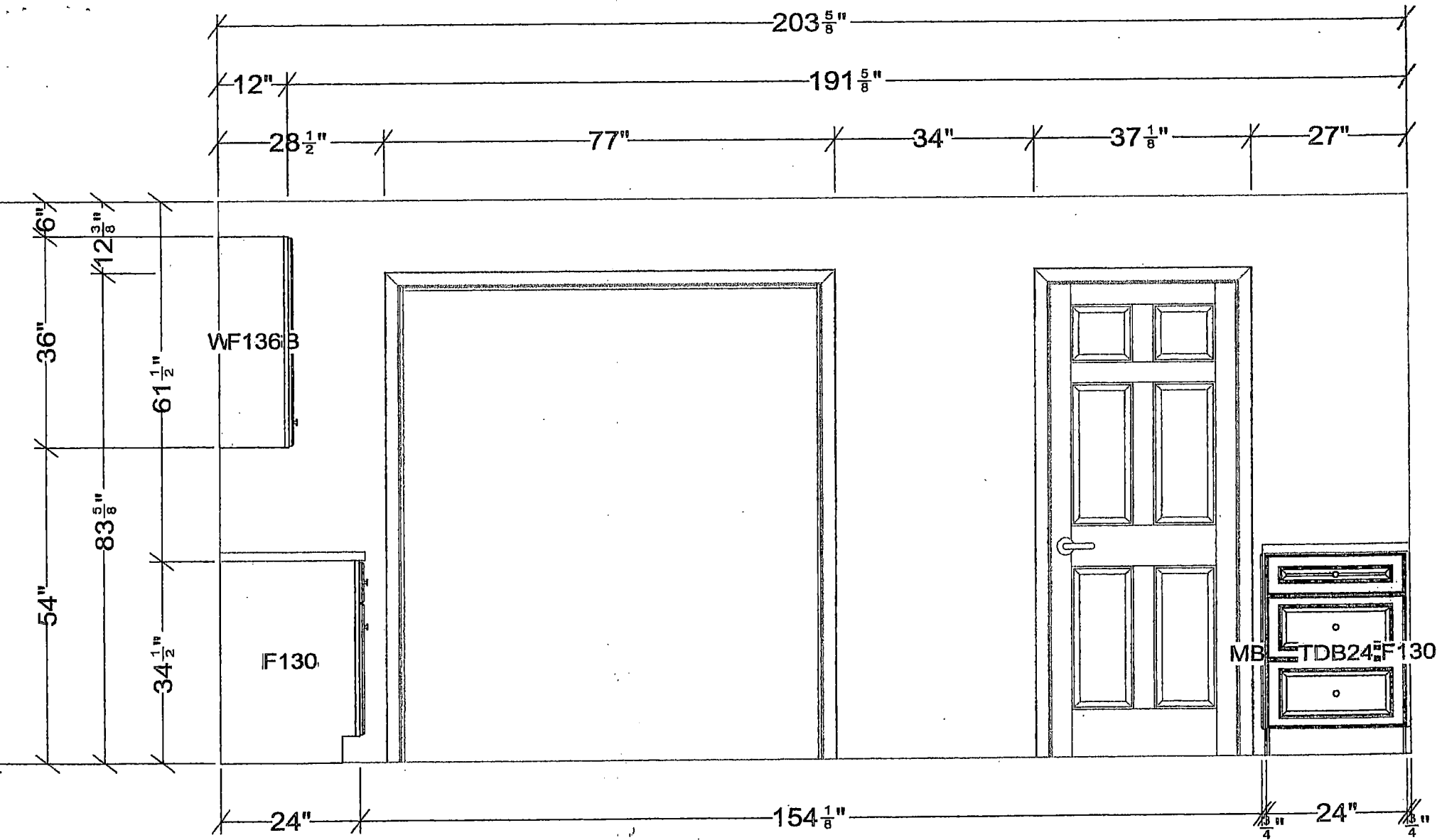


All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.

2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
Printed: 9/11/2019



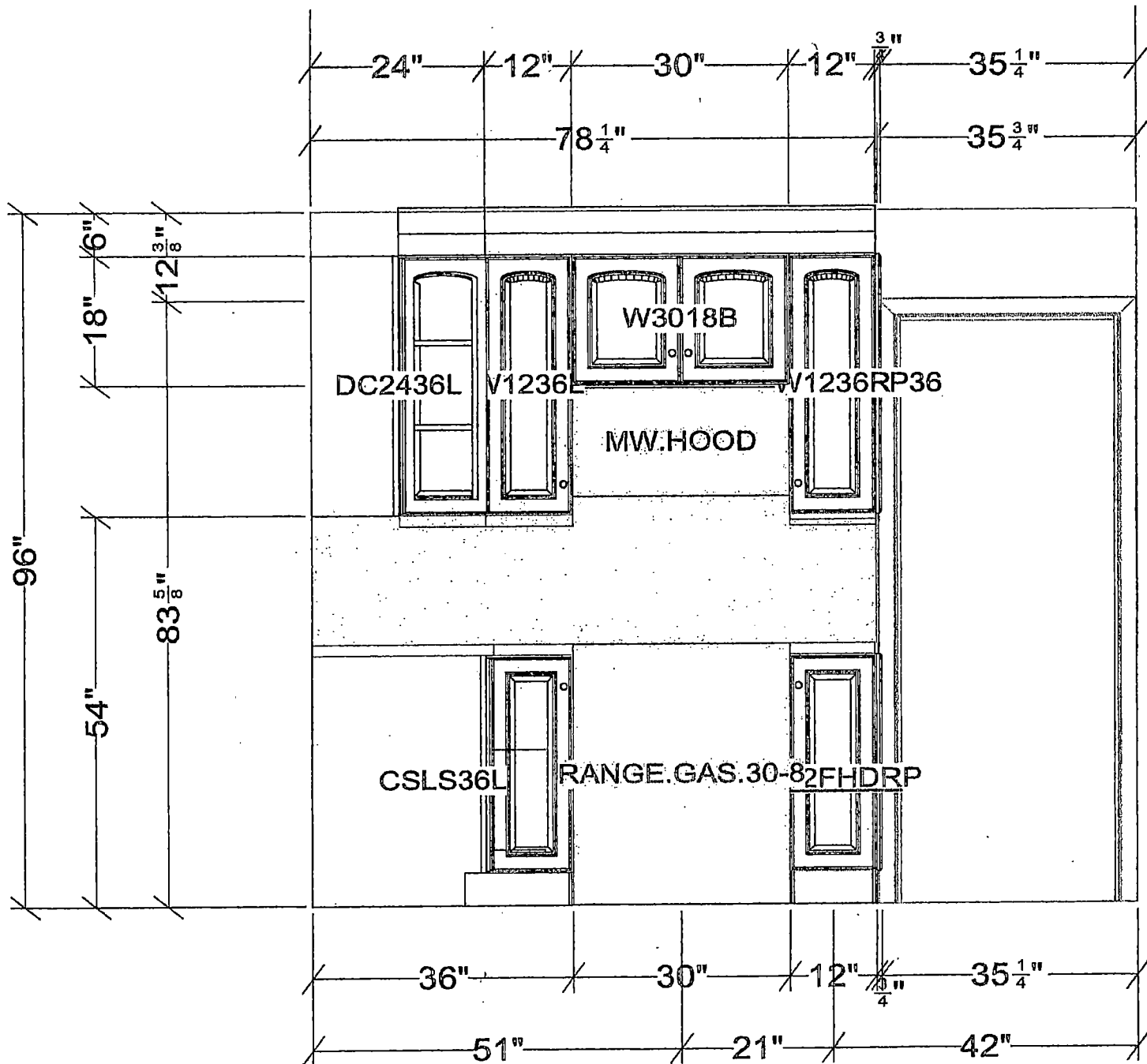
All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.

2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
 Printed: 9/11/2019

7c



All dimensions and size designations given are subject to verification on job site and adjustment to fit job conditions.

2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 9/11/2019
Printed: 9/11/2019

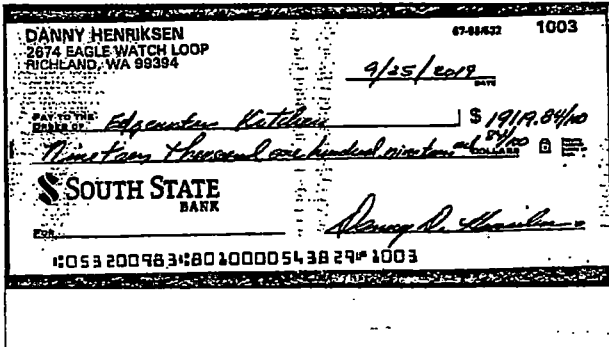
Paid

300.00 Cash

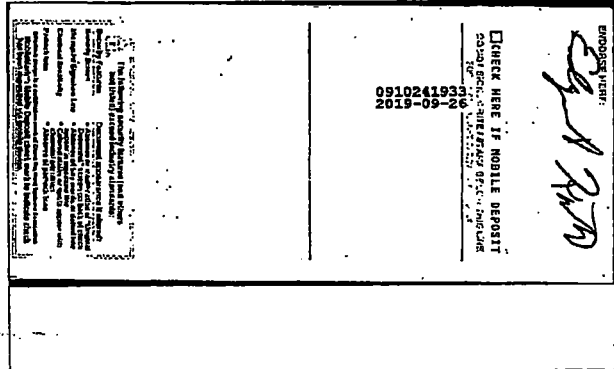
For Cab Drawings &
Consultation

8/20/2019

~~Handwritten signature~~



9/26/2019 - 1003 - \$19,119.84



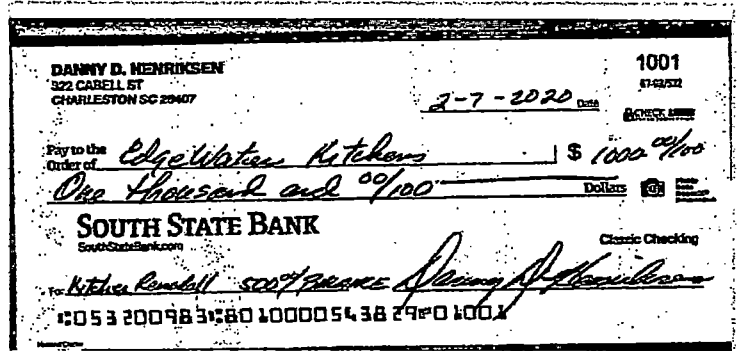
9/26/2019 - 1003 - \$19,119.84

FEB 10 2020 Check #1001

- \$1,000.00

Details

Description:
Check #1001
Date:
2/10/2020
Type:
Debit - Check 1001



OFFICIAL CHECK



CUSTOMER COPY

67-98/532

11246903

PAY TO THE ORDER OF EDgewater KITCHENS

DATE 12/27/2019

\$6,657.00

\$ 6,657.00 DOLLARS

NOTICE TO THE CUSTOMER: AS A CONDITION TO THIS INSTITUTION'S ISSUANCE OF THIS CHECK, PURCHASER AGREES TO PROVIDE DECLARATION OF LOSS PRIOR TO THE REFUND OR REPLACEMENT OF THIS CHECK IN THE EVENT IT IS LOST, MISPLACED, OR STOLEN. REFUNDS AND REPLACEMENTS CANNOT BE MADE FOR 90 DAYS AFTER ISSUANCE OF ORIGINAL CHECK.

REMITTER DANNY D HENRIKSON

NON-NEGOTIABLE

AUTHORIZED SIGNATURE

COPY

COPY

OFFICIAL CHECK



CUSTOMER COPY

67-98/532

11255308

PAY TO THE ORDER OF EDGE WATER KITCHENS

DATE 01/30/2020

\$2,850.00

\$ 2,850.00 DOLLARS

NOTICE TO THE CUSTOMER: AS A CONDITION TO THIS INSTITUTION'S ISSUANCE OF THIS CHECK, PURCHASER AGREES TO PROVIDE DECLARATION OF LOSS PRIOR TO THE REFUND OR REPLACEMENT OF THIS CHECK IN THE EVENT IT IS LOST, MISPLACED, OR STOLEN. REFUNDS AND REPLACEMENTS CANNOT BE MADE FOR 90 DAYS AFTER ISSUANCE OF ORIGINAL CHECK.

REMITTER DANNY D HENRIKSEN-BALANCE

NON-NEGOTIABLE

AUTHORIZED SIGNATURE

COPY

COPY

OFFICIAL CHECK



CUSTOMER COPY

67-98/532

11254045

PAY TO THE ORDER OF EDGEWATER KITCHEN

DATE 01/24/2020

\$1,733.00

\$ 1,733.00 DOLLARS

NOTICE TO THE CUSTOMER: AS A CONDITION TO THIS INSTITUTION'S ISSUANCE OF THIS CHECK, PURCHASER AGREES TO PROVIDE DECLARATION OF LOSS PRIOR TO THE REFUND OR REPLACEMENT OF THIS CHECK IN THE EVENT IT IS LOST, MISPLACED, OR STOLEN. REFUNDS AND REPLACEMENTS CANNOT BE MADE FOR 90 DAYS AFTER ISSUANCE OF ORIGINAL CHECK.

REMITTER DANNY D HENRIKSEN

BALANCE DUE 4,000

NON-NEGOTIABLE

AUTHORIZED SIGNATURE

COPY

COPY

ATTACH #8

From: Edgewater Kitchens
Sent: Tuesday, September 10, 2019 8:04 AM
To: ddhenri70@hotmail.com; edgewk@gmail.com
Subject: Invoice 1007 from Edgewater Kitchens

Edgewater Kitchens

Dear Dan Hendrickson,

Here's your invoice! We appreciate your prompt payment.

Thanks for your business!
Edgewater Kitchens

INVOICE 1007 DETAILS

DUE 09/10/2019

\$29,119.84

10


Powered by QuickBooks

Bill to

Dan Hendrickson

From: Magnus Shier
Sent: Wednesday, September 11, 2019 1:20 PM
To: Danny Henriksen
Subject: Re: Question about invoice 1007

Yes, that is correct. The due now amount is in the memo.

Magnus Shier

On Wed, Sep 11, 2019 at 1:15 PM Danny Henriksen <ddhenri70@hotmail.com> wrote:

Magnus,

The invoice does not reflect the payment schedule we discussed in our last meeting, I thought we discussed paying the 19,119.84 initially and for payments of 2500 for week 1, 2500 for week 2 and 5000.00 at the completion of the job.

Thank you,

Dan Henriksen

Sent from Mail for Windows 10

Edgewater Kitchens

2487 Ashley River RD.
Charleston, SC 29414 US
edgewk@gmail.com
edgewaterkitchens.com

INVOICE

BILL TO
Dan Hendrickson

INVOICE # 1007
DATE 09/10/2019
DUE DATE 09/10/2019
TERMS Due on receipt

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Quartz Countertops	Cost plus 15%	54	95.00	5,130.00
Cabinetry Cab Craft	See Design Layout	1	19,119.84	19,119.84
Walled Pantry	Walled Pantry	1	2,500.00	2,500.00
Cabinetry Installation	Cabinetry installation	1	2,370.00	2,370.00

Total job due upon receipt 19119.84

BALANCE DUE

\$29,119.84

Edgewater Kitchens
 2487 Ashley River RD.
 Charleston, SC 29414 US
 edgewk@gmail.com
 edgewaterkitchens.com

INVOICE

BILL TO
 Dan Hendrickson

INVOICE # 1007
DATE 09/10/2019
DUE DATE 10/10/2019
TERMS Net 30 (5)

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Quartz Countertops	At Cost	94	80.00	7,520.00
Cabinetry Cab Craft	See Design Layout	1	19,119.84	19,119.84
Walled Pantry	Walled Pantry	1	2,500.00	2,500.00
Cabinetry Installation	Cabinetry installation	1	2,370.00	2,370.00

Total job due upon receipt 19119.84

BALANCE DUE

\$31,509.84

Countertop Deposit 3814.00
 Cabinet Removal + Disposal 350.00
 1/2 Pantry + Cab Install 2500.00
 6657.00

19119.84	31509.84
6657.00	25276.84
<u>25776.84</u>	<u>5733.00</u>

65 sq ft.
 Counter TOP
 Installed.

Edgewater Kitchens
 2487 Ashley River RD.
 Charleston, SC 29414 US
 edgewk@gmail.com
 edgewaterkitchens.com

INVOICE

BILL TO
 Dan Hendrickson

INVOICE # 1007
DATE 09/10/2019
DUE DATE 09/10/2019
TERMS Due on receipt

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Quartz Countertops	At Cost Counters	62	80.00	4,960.00
Cabinetry Cab Craft	See Design Layout	1	19,119.84	19,119.84
Walled Pantry	Walled Pantry	1	2,500.00	2,500.00
Cabinetry Installation	Cabinetry installation	1	2,370.00	2,370.00
Payment Agreement	Deposit 19,000.00 To Start, Week 1 Draw 2500.00, Week 2 Draw 2489.84	1	0.00	0.00
Quartz Countertops	At Cost Island	32	80.00	2,560.00

Deposit due upon receipt 19,000.00

BALANCE DUE

\$31,509.84

ATTACHMENT # 9

Response to Edgewater Complaint and Response

1. I was on the job almost every day, and never refused any request for help. I installed the electrical, plumbing, ductwork and appliances.
2. All the graphic pictures show subway tile, they sent me to pick out the tile I wanted.
3. See attachment #6, pages 5,6,5a,6a.
4. Corner pantry did not have door knob.
5. Magnus took all trim, when he picked up his tools. Never did he offer me finishing materials without paying or dropping case.
6. I never agreed to pay for extras. Told him to do the work on the contract.
7. I cannot help someone who is not on the job. I never refused him help.
8. The main reason we hired a contractor is to get the job done in a reasonable time. Magnus said he could do the tile and the graphic pictures they showed me before entering the contract would be what my kitchen would look like after they were finished.

9. The initial price of the work was \$25,500.00. The addition of the tile to the backsplash was added that raised the price to \$29,119.84. Palmetto Surfacing told me the 4 inch backsplash was optional. That did not raise the price \$3619.84. The cabinet glass windows raised the price from \$29119.84 to \$31509.84. See attachment #6, pages 5,6, 5a,6a.
10. I paid him \$300.00 on 8/20/2019 to come into the kitchen and access the work that needed to be done before the contract.
11. Fan had a small discharge of approx 3" maybe a 1/2 Hp motor. Not enough air movement to create a vacuum on a 400 Sq Ft. room. Children? My youngest son Jacob was born in 1989. No children were in the house.
12. Pantry was painted and ready for shelving three days after sheet rock was finished.
13. Magnus said he would install it after he got paid.
14. Never gave him a list. Yes changed locks, tired of dealing with a less than a reliable contractor.
15. Question to be asked here is who broke the trust first. Contractor saying that the work was not included in contract, or customer refusing to pay the contractor.
16. No comment.
17. Trim on island not installed and garbage cabinet does not have a door.

18. Painting was done in three days, Friday, Saturday, and Sunday.

19. Glass doors see attachment 6 pages 5,6,5a,6a. Backsplash is listed on contract and all graphic pictures show subway tile on the backsplash.

20. Untrustworthy contractors are not welcome in my house.

21. I will disagree with that comment.

22. I will disagree with that comment.

23. I will disagree with that comment.

24. See attachment #6 pages 5,6,5a,and 6a.

25. Back splash is on the contract. The contract I had Magnus sign, attachment # 1, was never intended to be the contract, I expected the contractor to furnish the contract. When I asked for the contract Magnus said my invoice was my contract. That is when I asked him to sign it. Magnus and Pat told me that my kitchen would look like the graphic pictures, which he is now calling artistic, when they were finished. See attachment #6 page 1, 1a,1b for example of artistic. All other pictures in attachment 6 are graphic with layout drawings.

Summary of Brief

Case # 2021-001064

Magnus Shier DBA Edge Water Kitchens, entered into a contract with Danny D Henriksen to refurbish the kitchen at 322 Cabell St., Charleston SC. He failed to do the work in a timely manner and had no intention of completing all the work. He made the tenants of the house miserable with no regards to their living conditions. As the photos on attachment # 5 will indicate the way he left the job site every day.

Should a person in business be as hard to reach as Mr. Shier? Why couldn't the court reach him at his home or business address?

I realized after six weeks of dealing with Mr. Shier that I was not going to get the kitchen that I agreed to pay for with him. He is not entitled to profit for work he did not complete. I wish I could get the kitchen tiled and glass doors installed 1646.20. So why did the price on the contract go from 25500.00 to 31,509.84?

To this day I have not received any material or the cabinet door for my trash can nor have I been offered to pick them up.

In closing let the evidence I have submitted and common sense prevail.

Respectively Submitted,

Danny D. Henriksen

**FORM 7
PROOF OF SERVICE OF RECORD OF INTIAL
BRIEF RESPONDENT**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appellate Case No.
2021-001064

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer C McCoy Circuit Court Judge

Case No. 2000-CP-1005405

Danny D Henriksen,

Respondent,

v.

Magnus E Shier III,

Appellant.

RECEIVED

DEC 08 2023

SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the Initial Brief Respondent to Magnus E Shier III by depositing a copy of it in the United States Mail, postage prepaid, on December 7, 2023 addressed to his address at 2487 Ashley River Rd., Charleston South Carolina, 29414 on December 7, 2023.

December 7, 2023

s/Danny D Henriksen
Danny D Henriksen
322 Cabell St.
Charleston, South Carolina, 29407
Respondent
509-947-7354

*DR. D. HENRIKSEN
412 CARROLL ST
CHARLESTON, SC 29407*

Retail



U.S. POSTAGE PAID
PM
CHARLESTON, SC 29407
REG. NO. 2023

RDC 03 0 Lb 14.50 Oz R2308Y151805-08



*SC Coastal...
18 Box...
Substituted...
2023*

