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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

The Honorable Carmen T. Mullen, Circuit Court Judge  
Case No. 2018-CP-26-00307

Appellate Case No. 2023-001132

Wedgewood Condominium Association, ..... Respondent

vs.

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,  
are..... 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; 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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**RESPONDENT’S DESIGNATION OF MATTER  
TO BE INCLUDED IN RECORD ON APPEAL**

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Respondent proposes the following to be included in the Record on Appeal:

1. Form 4 Judgment/Order denying Centex’s Motion for JNOV or in the alternative, a New Trial and denying Centex’s Motion for a New Trial or in the alternative Nisi Remittitur filed June 14, 2023.
2. Amended Form 4 Judgment [Jury Verdict] June 8, 2023
3. Form 4 Judgment [Jury Verdict] filed June 1, 2023
4. Jury Verdicts entered May 26, 2023
5. Centex Motion for JNOV or in the Alternative, a New Trial filed June 5, 2023
6. Wedgewood Response to Centex Motion for JNOV June 14, 2023 w/Exhibits
7. Transcript of Motion Hearing June 14, 2023 on Defendants’ Motion for JNOV or in the Alternative a New Trial
8. Transcript of Trial May 22, 2023 – May 26, 2023 before the Honorable Carmen T. Mullen
9. Trial Exhibits May 22, 2023 – May 26, 2023:
  - Courts’ Exhibits 1-10:
    - 1 Repeated Construct. defects
    - 2 Sealed settlement
    - 3 Case dismissed 1-13-23
    - 4 Pending jury trial/demand
    - 5 Pending civil action docs.
    - 6 Pending civil action docs.
    - 7 Pending civil action docs.
    - 8 Pending civil action docs.
    - 9 Dismissed civil action docs.
    - 10 Dismissed civil action docs.

Defendants' Exhibit 72: Board meeting mins

Plaintiff's Exhibits 1 through 13:

- 1 Brochure
- 2 Master Deed
- 3 Book w/PowerPoint
- 4 Repair estimate
- 5 Repair estimate
- 6 Ordinance
- 7 Stipulations
- 8 Subcontractor lic. verf.
- 9 Santee Cooper "Good Cents"
- 10 Drawing of Golf Villas I
- 11 Notes from S7&S8
- 12 Watkins job detail
- 13 Watkins invoice

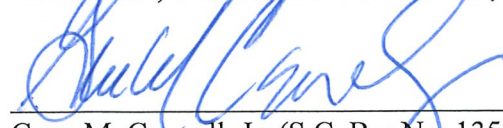
Punitive Damages Exhibits for Plaintiff:

- 1 Request for Admissions
- 2 Three pages of transcript

10. Plaintiff's Memorandum in Opposition to Defendant Centex's Motion for Summary Judgment w/Exhibits 8/25/2022
11. Plaintiff's Supplemental Memorandum in Opposition to Defendant Centex's Motion for Summary Judgment w/Exhibits 9/16/2022
12. Complaint 1/18/2018

**I certify that this designation contains no matter which is irrelevant to this appeal.**

KELAHIER, CONNELL & CONNOR, P.C.



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February 16, 2024