

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Mar 28 2024

S.C. SUPREME COURT

Appeal From Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2016-CP-10-01833

Court of Appeals Case No. 2021-001055
Unpublished Opinion No. 2023-UP-206 (S.C. Ct. App. filed May 31, 2023)

Supreme Court Case No. 2023-001643

Andrew and Kimberly McIntire,

Plaintiffs,

v.

Sequest Development Company, Inc.; Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction; Coastal Window & Door Center of Charleston, LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets; Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; and New South Construction Supply, LLC

Defendants.

and

Sequest Development Company, Inc.,

Petitioner/Third-Party Plaintiff,

v.

Architectural Products of Charleston, LLC, and Sealtight of South Carolina, LLC,

Third-Party Defendants,

Of which Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction; Coastal Window & Door Center of Charleston, LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets; Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a Jerry’s Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; New South Construction Supply, LLC; Architectural Products of Charleston, LLC; and Sealtight of South Carolina, LLC, are

Respondents.

PROOF OF SERVICE

I certify that on **March 28, 2024**, I served Petitioner Seaquest Development Company, Inc. and Respondent Benzenburg Custom Cabinets, Inc.’s Notice of Settlement and Request for Dismissal via electronic mail – in accordance with the May 29, 2020, order of the Supreme Court, Appellate Case No. 2020-000447 at § (g)(3) – on all counsel of record at the following addresses:

<p>Stephen L. Brown, Esq. Edward D. Buckley, Jr., Esq. Jason A. Daigle, Esq. Russell G. Hines, Esq. CLEMENT RIVERS, LLP sbrown@ycrlaw.com ebuckley@ycrlaw.com jdaigle@ycrlaw.com rhines@ycrlaw.com</p> <p><i>Attorneys for Petitioners Seaquest Development Company, Inc.</i></p>	<p>Jaan G. Rannik, Esq. EPTING & RANNIK, LLC jgr@epting-law.com</p> <p><i>Attorney for Andrew and Kimberly McIntire</i></p>
<p>William W. Watkins, Jr., Esq. John J. Dodds, IV, Esq. WALL TEMPLETON & HALDRUP, PA trej.watkins@walltempleton.com john.dodds@walltempleton.com</p> <p><i>Attorneys for Jerry Comer d/b/a Jerry’s Tile & Marble</i></p>	<p>Danielle F. Payne, Esq. MCANGUS GOUDELOCK & COURIE, LLC danielle.payne@mgclaw.com</p> <p><i>Attorney for Red Bay Constructors</i></p>

<p>Erin D. Dean, Esq. Stacey P. Canaday, Esq. TUPPER, GRIMSLEY, DEAN, & CANADAY, PA erindean@tgdcpa.com staceycanaday@tgdcpa.com</p> <p><i>Attorneys for Jonathan Marshall Construction</i></p>	<p>Suzanne C. Ulmer, Esq. KERNODLE COLEMAN sulmer@kernodlelaw.com</p> <p><i>Attorney for Carolina Pest Solutions, Inc.</i></p>
<p>James H. Elliott, Jr., Esq. Samia H. Albenberg, Esq. RICHARDSON PLOWDEN & ROBINSON, PA jelliott@richardsonplowden.com samhanafi@gmail.com</p> <p>-and-</p> <p>Brent M. Boyd, Esq. MURPHY & GRANTLAND, PA bboyd@murphygrantland.com</p> <p><i>Attorneys for New South Construction Supply, LLC</i></p>	<p>Shanna M. Stephens, Esq. ANDERSON REYNOLDS & STEPHENS, LLC sstephens@arslawsc.com</p> <p>-and-</p> <p>Preston B. Dawkins, Jr., Esq. AIKEN BRIDGES ELLIOTT TYLER & SALEEBY, PA pbd@aikenbridges.com</p> <p><i>Attorneys for Coastal Plumbing & Gas, LLC</i></p>
<p>Amanda K. Dudgeon, Esq. J. Matthew Johnson, Esq. CHANDLER & DUDGEON LLC mandi@chandlerdudgeon.com matt@chandlerdudgeon.com</p> <p><i>Attorneys for Sealtight of South Carolina, LLC</i></p>	<p>D. Summers Clarke, II, Esq. K. Michael Barfield, Esq. BARNWELL WHALEY PATTERSON & HELMS, LLC sclarke@barnwell-whaley.com mbarfield@barnwell-whaley.com</p> <p><i>Attorneys for Foam Insulation Co., Inc.</i></p>
<p>Albert A. Lacour, III, Esq. CLAWSON & STAUBES, LLC alacour@clawsonandstaubes.com</p> <p><i>Attorney for Lowcountry Fireplaces, Inc.</i></p>	<p>John E. Rogers, II, Esq. THE WARD LAW FIRM, PA jrogers@wardfirm.com</p> <p><i>Attorney for Southcoast Exteriors, Inc.</i></p>

[Signature page follows]

Respectfully submitted,

s/Shelley S. Montague

Shelley S. Montague, SC Bar No. 68019

Gallivan, White & Boyd, P.A.

PO Box 7368

Columbia, SC 29202

smontague@gwblawfirm.com

(803) 779-1833

***Attorney for Benzenburg Custom Cabinets,
Inc.***

March 28, 2024

Jillian Hansen

From: Jillian Hansen
Sent: Thursday, March 28, 2024 10:21 AM
To: sbrown@ycrlaw.com; ebuckley@ycrlaw.com; jdaigle@ycrlaw.com; rhines@ycrlaw.com; jhiott@ycrlaw.com
Cc: jgr@epting-law.com; trey.watkins@walltempleton.com; john.dodds@walltempleton.com; danielle.payne@mgclaw.com; erindean@tgdcpa.com; Stacey Patterson Canaday; sulmer@kernodlelaw.com; jelliott@richardsonplowden.com; samhanafi@gmail.com; bboyd@murphygrantland.com; sstephens@arlawsc.com; pbd@aikenbridges.com; mandi@chandlerdudgeon.com; matt@chandlerdudgeon.com; sclarke@barnwell-whaley.com; mbarfield@barnwell-whaley.com; alacour@clawsonandstaubes.com; jrogers@wardfirm.com; Shelley Montague; Olivia Trupp; mcastillo@murphygrantland.com; Bell, Pollyana (Polly); agg@epting-law.com; kgarvin@kernodlelaw.com; receptionist1@arlawsc.com; bdg@aikenbridges.com; sandra.schultz@walltempleton.com; jsegell@barnwell-whaley.com; edde-filings@tgdcpa.com; morganreeves@tgdcpa.com; shatch@clawsonandstaubes.com; mmayden@richardsonplowden.com; samia@letssimplify.com; lisa.carducci@mgclaw.com; ssantana@wardfirm.com; Hines, Russell; Justman, Aimee; Jean-Charles, Alice; tnewton@murphygrantland.com
Subject: SC Sup. Ct. Case No. 2021-001055 - McIntire v. Seaquest, et al. [IMAN-IMANMAIN.FID44990]
Attachments: [FINAL] Ltr SC Sup. Ct. re Notice of Settlement and Request to Remand with Proof of Service.pdf
Categories: SSM

Good morning,

Attached hereto and served upon you, please find Appellant Seaquest Development Company, Inc.'s and Respondent Benzenburg Custom Cabinets, Inc.'s Joint Notice of Settlement and Request for Remand which is being filed with the SC Supreme Court today.

A copy of this message will be affixed to the Proof of Service which is included in the filing.

Kind regards,
Jillian



Jillian Hansen
Paralegal
jhansen@gwblawfirm.com

Gallivan, White & Boyd P.A.
1201 Main Street | Suite 1200 | Columbia SC 29201
803 724 1702 Direct | 803 779 1833 Main | 803 779 1767 Fax
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the named recipient(s), please notify the sender and delete this email. Thank you.

Jillian Hansen

From: Jillian Hansen
Sent: Thursday, March 28, 2024 10:32 AM
To: john@yarboroughapplegate.com
Subject: FW: SC Sup. Ct. Case No. 2021-001055 - McIntire v. Seaquest, et al. [IMAN-IMANMAIN.FID44990]
Attachments: [FINAL] Ltr SC Sup. Ct. re Notice of Settlement and Request to Remand with Proof of Service.pdf

Good morning,

Our office has received an email delivery failure notice for the address used in our initial message. Please see the below and attached. Thank you for your patience.

A copy of this message will be affixed to the Proof of Service which is included in the filing.

Kind regards,
Jillian



Jillian Hansen
Paralegal
jhansen@gwblawfirm.com

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Cc: jgr@epting-law.com; trey.watkins@walltempleton.com; john.dodds@walltempleton.com; danielle.payne@mgclaw.com; erindean@tgdcpa.com; Stacey Patterson Canaday <staceycanaday@tgdcpa.com>; sulmer@kernodlelaw.com; jelliott@richardsonplowden.com; samhanafi@gmail.com; bboyd@murphygrantland.com; sstephens@arslawsc.com; pbd@aikenbridges.com; mandy@chandlerdudgeon.com; matt@chandlerdudgeon.com; sclarke@barnwell-whaley.com; mbarfield@barnwell-whaley.com; alacour@clawsonandstaubes.com; jrogers@wardfirm.com; Shelley Montague <smontague@gwblawfirm.com>; Olivia Trupp <otrupp@gwblawfirm.com>; mcastillo@murphygrantland.com; Bell, Pollyana (Polly) <pbell@ycrlaw.com>; agg@epting-law.com; kgarvin@kernodlelaw.com; receptionist1@arslawsc.com; bdg@aikenbridges.com; sandra.schultz@walltempleton.com; jsegell@barnwell-whaley.com; edde-filings@tgdcpa.com; morganreeves@tgdcpa.com; shatch@clawsonandstaubes.com; mmayden@richardsonplowden.com; samia@letssimplify.com; lisa.carducci@mgclaw.com; ssantana@wardfirm.com; Hines, Russell <RHines@ycrlaw.com>; Justman, Aimee <AJustman@ycrlaw.com>; Jean-Charles, Alice <ajeancharles@ycrlaw.com>; tnewton@murphygrantland.com
Subject: SC Sup. Ct. Case No. 2021-001055 - McIntire v. Seaquest, et al. [IMAN-IMANMAIN.FID44990]

Good morning,

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Kind regards,
Jillian



Jillian Hansen

Paralegal
jhansen@gwblawfirm.com

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