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Apr 10 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

Hon. R. Scott Sprouse, Circuit Court Judge

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Case No.: 2019-CP-04-01942  
Appellate Case No.: 2023-001681

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Natalie Zitek, individually, and on behalf of all others similarly situated,  
Plaintiff,

v.

D.R. Horton, Inc., Jane Doe #1-10; and, John Doe #1-50,  
Defendants,

AND

D.R. Horton, Inc.,  
Third-Party Plaintiff,

v.

AJ Landscaping & Grading, LLC a/k/a A J Landscaping & Grading, LLC; AllPro Textures, LLC; Alpha Omega Construction Group, Inc.; American Concrete and Precast, Inc.; a/k/a ACP Concrete, Inc.; A&J Framing, Inc.; Alpha E.M.C.; A-Z, Inc.; Atlanta Floor Designs Center; A Grade Above Others, LLC; Brand-Vaughan Lumber Co, Inc.; BKF Builders, Inc.; Builders Designhouse, LLC; BMC East LLC d/b/a Coleman Floor, LLC; Builders Firstsource Southeast Group, LLC, a/k/a Builders Firstsource, Inc.; Bravo Carpenters, Inc.; Caryl Mechanics II, Inc., a/k/a Caryl Mechanicals, Inc.; Cannaday Siding & Gutter, Inc.; Cortes Painting, LLC; CBU Enterprises, Inc.; CPI Security Systems, Inc.; DOM Group, LLC; Ferguson Enterprises, Inc.; Five Star Construction Inc.; Five Star Foundations, LLC; Galloway-Bell, Inc., a/k/a Galloway-Bell, Inc. II; Get Floored, LLC; GBS Building Supply; US LBM, LLC, f/k/a GBS Building Supply, Inc.; General Shale Brick Inc.; Greener Pastures, Inc., a/k/a Green Pastures of Aiken, LLC; IBS Asset, LLC d/b/a Blue Ridge Building Products; Installed Building Products, LLC, a/k/a Installed Building Products II LLC; JLS Masonry, Inc.; Kings Landscaping, LLC; Landshapers, LLC; Lade-Danlar, Inc.; Lansing Building Products, Inc.; Long

Heating & Air Conditioning, Inc.; L&M Electric, Inc; Manale Landscaping, LLC; MJ Cowboys, LLC; M&L General Construction, LLC, a/k/a M&L General Construction, Inc.; M&L Reyna Construction, LLC; M&M Foundations, LLC; Nazareth Builders, LLC; NB Contractors, LLC; Poinsett Development, LLC; Poinsett Homes, LLC; P&T Construction, Inc., a/k/a P & T Construction, Inc.; P & L Enterprises, LLC; Probuild Company, LLC a/k/a Probuild Holdings, Inc.; Rite Rug Company, Inc., a/k/a, Rite Rug Co.; Rodney Howard Grading Inc., a/k/a Rodney Howard Grading Co.; Sandlapper Concrete, LLC; Sodfather Inc., Landscape Contractors; Stock Building Supply, LLC; Topbuild Home Services, Inc., a/k/a Gale Contractors Service; Tucker Materials, Inc, a/k/a Gypsum; Silver Line Building Products Corp.; Dupree Plumbing Co., Inc.; UTM Enterprises, Inc; and Willow Tree Landscaping, Inc., and Silver Line Building Products Corporation,

Third-Party Defendants,

Of whom Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc. II is the Respondent,

AND

D.R. Horton, Inc. is the Appellant.

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**CERTIFICATE OF SERVICE AND FILING**

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The undersigned does hereby certify that on April 10, 2024, a copy of **Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc. II 's Initial Brief and Designation of Matter** pursuant to Rule 262 (c)(3), SCACR, and S.C. Supreme Ct. Order dated August 25, 2021 on the following counsel of record using the primary email address listed in the Attorney Information System (if applicable):

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-AND-

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Respondent's POS for Initial Brief & Designation of Matter  
Appellate Case No.: 2023-001681

ROSS & CRISTALDI, LLC

s/ Brenten H. DeShields  
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***Attorneys for Respondent Galloway-Bell,  
Inc. a/k/a Galloway-Bell, Inc. II***

**From:** [Alyssa Belcher](#)  
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**Cc:** [Jeff Ross](#); [Brenten DeShields](#); [Kaylee Negrin](#)  
**Subject:** Appellate Case No.: 2023-001681  
**Attachments:** 2024.04.10 BHD to Ct. App re Initial Brief and DOM.pdf; 2024.4.10 Respondent DOM.pdf; 2024.04.10 Galloway-Bell POS Initial Brief & DOM.pdf; 2024.4.10 Respondent's Initial Brief.pdf

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Counselors,

Please see attached, Galloway-Bell, Inc. a/k/a Galloway-Bell Inc. II's Initial Brief, Designation of Matter, and Proof of Service, in the above matter being filed with the Court of Appeals.

Thank you,

**Alyssa Belcher**  
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*Please note our email address change – our entire firm will now be “first initial, last name @rclawsc.com”  
Please note our firm address change*

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**ROSS & CRISTALDI<sup>LLC</sup>**  
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April 10, 2024

**VIA E-MAIL (ctappfilings@sccourts.org)**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Zitek v. D.R. Horton, Inc., et al.  
Appellate Case No.: 2023-001681

Dear Ms. Kitchings:

Enclosed for filing please find Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc. II's Initial Brief and Designation of Matter.

Thank you very much for your attention to the above.

Very truly yours,

s/ Brenten H. DeShields

Brenten H. DeShields

BHD/bm

Enclosures

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