

STATE OF SOUTH CAROLINA
COUNTY OF CHARLETON

Fenwick Commons Homeowners Association, Inc.,

Plaintiffs,

v.

D.R. Horton, Inc., JJA Construction, Inc. d/b/a JJA Framing, JJA Construction, Inc. d/b/a JJA Framing Company, Jose Castillo d/b/a JJA Framing, Jose Castillo d/b/a JJA Framing Company, United Siding Specialists, Inc., Heritage Construction Consultants, Inc., Robert H. Yarnall d/b/a Heritage Construction Consultants, Inc., Built Right Construction, LLC, Alfonso Villavicencio d/b/a Alfonso's Painting, Alfonso Painting & Drywall, Inc., Diria Tawi Painting, Inc., 84 Lumber Company, Builders FirstSource – Southeast Group, LLC, Americo Roofing Concepts f/k/a Americo Roofing Concepts Enterprises, Inc., Americo Roofing Concepts, Inc. f/k/a American Roofing Concepts, Archer Exteriors, Inc. and Professional Exteriors, LLC, Luciano Dias Gomes d/b/a Prestige Home Construction, Geraldo Da Cunha, Pablo Rojas Franco, Charles Gunter, Henry A. Palmer, Julio C. Crespo, Brasilican Contracting, LLC, Charles Bowser d/b/a CWB Services, Jose Geraldo Dos Reis, Leandro De Paulo Araujo, Helio A. De Rezende, Vinicius Araujo De Freitas a/k/a Vinicius Araujo, Robert M. Hughes d/b/a Robert's Vinyl Siding, Lucas Rodrigues Barcelos a/k/a Lucas Rodriguez Barcelos, Karla Bezerra, Rodrigo B. Vasconcelos, Rondinelly G. Da Silva, Marcio Nunes Da Silva, W&M Vinyl Siding, LLC, and Donald Lee d/b/a Vinyl Siding Specialists

Defendants.

IN THE
COURT OF
COMMON
PLEAS
IN THE
NINTH
JUDICIAL
CIRCUIT

CASE NO:
2018- CP-10-
0330

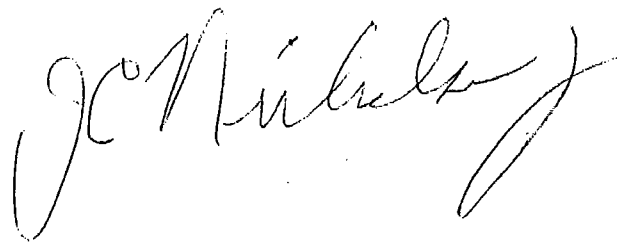
This matter came before me on July 26, 2024, with regard to Defendant Builders FirstSource – Southeast Group, LLC's Motion for Summary Judgment seeking dismissal of Plaintiff's Claims pursuant to Rule 56 of the South Carolina Rules of Civil Procedure. Witt Cox

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appeared on behalf of Builders FirstSource – Southeast Group, LLC, while Phillip W. Segui, Jr., appeared on behalf of Plaintiff.

Before the Court were Builders FirstSource – Southeast Group, LLC’s Motion and Memorandum in Support of Summary Judgment as well as Plaintiff’s Memorandum in Opposition. Upon review and consideration of these filings, and counsel’s oral arguments, the Court finds that Builders FirstSource – Southeast Group, LLC’s Motion for Summary Judgment is granted solely as to units Builders FirstSource – Southeast Group, LLC, only installed window screens. The parties shall work together collectively to agree on which units Builders FirstSource – Southeast Group, LLC, only installed windows screens on. Plaintiff’s Counsel stipulated that it is not bringing any claims as it pertains to Builders FirstSource – Southeast Group, LLC’s trusses supplied at the Portrait units.

AND IT IS SO ORDERED.



The Honorable J.C Nicholson, Jr. (Ret.)
Special Referee

August 1, 2024
Charleston, South Carolina

STATE OF SOUTH CAROLINA
 COUNTY OF CHARLESTON
 IN THE COURT OF COMMON PLEAS

CASE NO. 2018 CP-10-0330

Fenwick Commons Homeowners, Assoc.

Portrait Homes – South Carolina, LLC, Portrait Homes-

PLAINTIFF(S)

Fenwick Commons LLC, D.R. Horton, Inc. ET AL
 DEFENDANT(S)

Submitted by: J.C. Nicholson, Jr. Esq. (Special Referee)	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant
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DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: Statement of Judgment by the Court: Defendant Builders Firstsource – Southeast Group, LLC’s Motion to Reconsider filed on 08/01/2024 is denied

ORDER INFORMATION

This order ends X does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate “N/A” in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

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