

THE STATE OF SOUTH CAROLINA  
In the Supreme Court  
APPEAL FROM DORCHESTER COUNTY  
Maite Murphy, Circuit Court Judge

**RECEIVED**  
**Nov 20 2024**  
S.C. SUPREME COURT

Innovative Waste Management, Inc., Respondent,

v.

Crest Energy Partners GP, LLC, Crest Energy Partners L.P.,  
Dunhill Products GP, LLC, Dunhill Products L.P., Henry Wuertz,  
and Edward H. Girardeau, Defendants,

Of Whom Crest Energy Partners GP, LLC, Crest Energy Partners  
L.P., Dunhill Products L.P., Dunhill Products GP, LLC, and Henry  
Wuertz are the Appellants.

Appellate Case No. 2023-001045

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MOTION TO ARGUE AGAINST PRECEDENT

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COMES NOW APPELLANTS, who hereby move this Honorable Court pursuant to Rule 217 and 240, SCACR, out of an abundance of caution, for leave to argue against the precedent set by Davis v. Parkview Apartments, 409 S.C. 266, 762 S.E.2d 535 (2014). While Appellants believe that the Court of Appeals' ruling must be reversed because it fails to follow Davis, the undersigned also recognize that the Court of Appeals opinion in this matter interpreted Davis in a manner that was adverse to Appellants. Therefore, if the Court of Appeals correctly interpreted Davis, Appellants assert that Davis must be clarified or overruled so that the procedure Appellants utilized to seek appellate review of the discovery rulings in this case is deemed correct.

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RESPECTFULLY SUBMITTED:

s/ David B. Marvel

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