

# The South Carolina Court of Appeals

Stoneledge at Lake Keowee Owners' Association, Inc.,  
C. Dan Carson, Jeffrey J. Dauler, Joan W. Davenport,  
Michael Furnari, Donna Furnari, Jessy B. Grasso, Nancy  
E. Grasso, Robert P. Hayes, Lucy H. Hayes, Ty Hix,  
Jennifer D. Hix, Paul W. Hund, III, Ruth E. Isaac,  
Michael D. Plourde, Mary Lou Plourde, Carol C. Pope,  
Steven B. Taylor, Bettie J. Taylor, and Robert White,  
Individually, and on behalf of all others similarly  
situated, Plaintiffs,

v.

IMK Development Co., LLC, Keowee Townhouses,  
LLC, Ludwig Corporation, LLC, SDI Funding, LLC,  
Medallion At Keowee, LLC, Intergrys Keowee  
Development, LLC, Marick Home Builders, LLC, Bostic  
Brothers Construction, Inc., Miller/Player & Associates,  
Bradford D. Seckinger, John Ludwig, William Cox,  
Larry D. Lollis, Rick Thoennes, M Group Construction  
and Development, LLC, Mel Morris, Joe Bostic,, Jeff  
Bostic, Clear View Construction, Michael Franz, MHC  
Contractors, Miguel Porras Choncoas, Builders  
FirstSource Southeast Group, Mike Green, Southern  
Concrete Specialties, Carl Compton d/b/a Compton  
Enterprise d/b/a Compton Enterprises, Gunter Heating &  
Air, All Pro Heating, A/C & Refrigeration, LLC,  
Coleman Waterproofing, Heyward Electrical Services,  
Inc., Tinsley Electrical, LLC, Hutch N Son Construction,  
Inc., Upstate Utilities, Inc. Southern Basements, Inc. Carl  
Catoe Construction, Inc., T.G. Construction, LLC,  
Delfino Construction, Francisco Javier Zarate d/b/a  
Zarate Construction, Alejandro Avalos Cruz, Herberto  
Acros Hernandez, Martin Hernandez-Aviles, Francisco  
Villalobos Lopez, Ambrosio Martinez-Ramirez, Ester  
Moran Mentado, Socorro Castillo, Montel, Upstate  
Utilities, Inc. MJG Construction and Homebuilders, Inc.

d/b/a MJG Construction, KMAC of the Carolinas, Inc., Eufacio Garcia, Everado Jarmamillo, Garcia Parra Insulation, Inc., J&J Construction, Jose Nino, Jose Manuel Garcia, Eason Construction, Inc., and Vincent Morales d/b/a Morales Masonry, and Miller/Player & Associates, Defendants,

Of Whom Marick Home Builders, LLC, and Rick Thoennes are the Appellants,

And

Of Whom Hutch N Son Construction, Inc., and Upstate Utilities, Inc. are the Respondents.

Appellate Case No. 2012-213237

---

ORDER

---

Appellants filed a motion to consolidate this appeal with three other appeals pending before this court. Respondents filed separate returns opposing consolidation. Respondents note the appeals stem from separate orders that were issued following separate hearings and Appellant has failed to identify a common question of law. After consideration, Appellants' motion is denied. *See* Rule 214, SCACR (giving this court the discretion to consolidate appeals that (1) arise from the same order, judgment, decision or decree, or (2) involve the same question of law).

Appellants' motion to accept its return to Respondents' motion to strike is granted. Further, after considering the motion to strike and Appellants' return, the motion to strike is denied.

Respondent Hutch N Son Construction, Inc.'s motion for an extension of time to file an amended initial brief is granted. The amended initial brief shall be served and filed within ten days. Appellant shall serve and file any amended initial reply brief within ten days of receipt of Respondent Hutch N Son Construction, Inc.'s amended initial brief.

  
FOR THE COURT

Columbia, South Carolina

cc:

Jason Michael Imhoff

Carl Reed Teague

Sidney Markey Stubbs

Shelley Sunderman Montague

Laura Watkins Jordan

**FILED**  
9-19-13 AS