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Dec 19 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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APPEAL FROM AIKEN COUNTY

Court of Common Pleas

The Honorable Patrick C. Fant

Case No. 2023-CP-02-01719

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Deborah Denise Harley,

Respondent,

v.

D.R. Horton, Inc. and Plumbing  
Solutions, LLC,

Defendants,

Of Whom D.R. Horton, Inc. is the

Appellant.

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NOTICE OF APPEAL

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D.R. Horton, Inc. (“Appellant”) appeals the Honorable Patrick C. Fant’s Order denying D.R. Horton’s Motion to Stay and Compel Arbitration, attached as **Exhibit 1**. Counsel for the Appellant received notice of entry of the Order on November 27, 2024.

[SIGNATURE ON FOLLOWING PAGE]

s/Kimila L. Wooten

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Kimila L. Wooten, SC Bar No.: 64516

David L. Paavola, SC Bar No.: 100714

Kathryn L. Harden, SC Bar No.: 103217

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December 19, 2024

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*Counsel for Plumbing Solutions, LLC*

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v.

D.R. Horton, Inc. and Plumbing  
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Defendants,

Of Whom D.R. Horton, Inc. is the

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PROOF OF SERVICE

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The undersigned does hereby certify that on December 19, 2024, a copy of the Notice of Appeal was served by email on all counsel of record as follows and filed with the Clerk of Court for Aiken County Court of Common Pleas via electronic filing. A copy of the sent email is enclosed as **Exhibit 1** with this Proof of Service.<sup>1</sup>

[SIGNATURE ON FOLLOWING PAGE]

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<sup>1</sup> Defendant Plumbing Solutions, LLC has filed a summons and third-party complaint in this action. However, Third-Party Defendants Edin Misael Lima, Carolos A. Urquia a/k/a Carolos Urquia Hernandez, and Abel Plumbing, LLC a/k/a Hassan Alfredo Abel Ramos have not been served or made an appearance. They are not respondents to this appeal and Appellant has not served them. *See* Rule 203(b)(1), SCACR (requiring the notice of appeal to “be served on all *respondents*” (emphasis added)); *In re Martel*, Op. No. 28242, slip op. at 2 (S.C. Sup. Ct. filed Nov. 13, 2024) (Howard Adv. Sh. No. 44 at 9, 10) (observing that the father in a family court action is not the respondent in an attorney’s appeal of criminal contempt); *cf.* Rule 5(a), SCRCP (stating that there is no need to serve a party in default for failure to appear).

s/Kimila L. Wooten

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Kimila L. Wooten, SC Bar No.: 64516

David L. Paavola, SC Bar No.: 100714

Kathryn L. Harden, SC Bar No.: 103217

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# EXHIBIT 1

**From:** [Natascha Genc](mailto:Natascha.Genc)  
**To:** [rtl@lylesfirm.com](mailto:rtl@lylesfirm.com); [jdw@lylesfirm.com](mailto:jdw@lylesfirm.com)  
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**Subject:** Deborah Denise Harley v D.R. Horton, Inc. and Plumbing Solutions, LLC (Case No. 2023-CP-02-01719)  
**Date:** Thursday, December 19, 2024 12:53:00 PM  
**Attachments:** [image001.png](#)  
[24.12.19 Harley Notice of Appeal.pdf](#)  
[Ex 1 24.11.27 Order Denying DRH Motion to Compel Arbitration.pdf](#)

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Dear Counsel:

Attached please find a Notice of Appeal and Exhibit regarding Deborah Denise Harley v D.R. Horton, Inc. and Plumbing Solutions, LLC (Case No. 2023-CP-02-01719). We plan on filing this in Circuit Court and in the Court of Appeals shortly.

With kindest regards,

**\*\*PLEASE NOTE THAT OUR GREENVILLE OFFICE IS NOW LOCATED AT 325 W. MCBEE AVENUE, SUITE 301, GREENVILLE, SC 29601. \*\***



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