

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2023-001132
Case No. 2018-CP-26-00307

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JUN 16 2025

SC Court of Appeals

Wedgewood Condominium Association,

Respondent,

v.

Centex Homes, a Nevada General Partnership and Balfour Beatty Construction, LLC as successor by merger to Centex Construction Company, Inc. and Centex Construction, LLC, Crescent Architects, LLC and CEMS Engineering, Inc., Defendants,

Of which Centex Homes, a Nevada General Partnership and Balfour Beatty Construction, LLC as successor by merger to Centex Construction Company, Inc. and Centex Construction, LLC are the Appellants.

And

Centex Homes, a Nevada General Partnership, Third Party Plaintiff

v.

Right Way Construction, Inc. a/k/a RWG, Inc. a/k/a Right Way Group, Inc. a/k/a RWGR, Inc.; Frank Harris d/b/a Frank Harris Construction a/k/a F. Harris Construction a/k/a Harris Drywall; Builders FirstSource – Southeast Group, LLC; Stock Building Supply, LLC f/k/a Stock Building Supply, Inc. f/k/a Carolina Builders Corporation; Michael D. Brownlee d/b/a Carolina Drywall & Interiors; Carolina Drywall & Interior, Inc. a/k/a Carolina Drywall & Interiors, Inc. a/k/a Carolina Drywall Contractors, Inc.; Roof Doctor of the Carolinas, Inc.; John D. Frazier d/b/a and/or a/k/a Roof Doctor and/or Roof Doctor of the Carolinas and/or Roof Doctor of the Carolinas, Inc.; Steven Bosch d/b/a The Roofer Man; Tri-City Insulation and Building Products of Myrtle Beach, Inc.; Martin Mata d/b/a Martin Masonry; Martin Masonry, Inc.; BR Brick & Masonry, Inc.; BR Brick & Masonry, LP f/k/a BR Brick & Masonry, Inc.; Unicon Concrete, LLC; Seno's Cleaning Service; American Residential Services, Inc.; Rice Planter Carpets, Inc. n/k/a Creative Touch Interiors, Inc., Floors, Inc. successor by merger to Rice Planter Carpets, Inc.; Carpets By Kendall, Inc.; Reliable Floor Systems, Inc.; TNT Painting; Paint with Pride a/k/a Painting with Pride; William Evans d/b/a Top Notch Painters; Morningstar Consultants Inc.; MI Windows and Doors, LLC;

Michael Dawson d/b/a Michael Dawson Construction, and Inc.; Vereen Concrete Co. Inc.; AK Construction Inc. a/k/a AK Framing and Siding Co.; AK United, Inc. f/k/a AK Construction Inc., Third Party Defendants.

APPELLANTS' MOTION TO BE RELIEVED AS COUNSEL

Counsel for Appellants Centex Homes, a Nevada General Partnership and Balfour Beatty Construction, LLC as successor by merger to Centex Construction Company, Inc. and Centex Construction, LLC (collectively, "Centex") respectfully request that Paul N. Nybo be removed as attorney of record pursuant to Rule 11(b), SCRPC, and Rule 240(a), SCACR. Pursuant to Rule 264(b), SCACR, Centex has consented to the withdrawal of Mr. Nybo as counsel of record and received written notice that he is withdrawing as counsel for Centex in this matter.

The representation of Centex will remain with Thomas C. Hildebrand, Jr., Katon E. Dawson, Jr., and William G. DesChamps, IV of Parker Poe Adams & Bernstein, LLP, and Stephanie A. Douglas of Bush Seyferth PLLC.

s/ Paul N. Nybo

Thomas C. Hildebrand, Jr. (S.C. Bar No. 2501)
William G. DesChamps, IV (S.C. Bar No. 100596)
Paul N. Nybo (S.C. Bar No. 105825)
PARKER POE ADAMS & BERNSTEIN LLP
850 Morrison Drive, Suite 400
Charleston, SC 29403
Telephone: 843-727-2650
tomhildebrand@parkerpoe.com
willdeschamps@parkerpoe.com
nicknybo@parkerpoe.com

Katon E. Dawson, Jr. (SC Bar # 101167)
PARKER POE ADAMS & BERNSTEIN LLP
1221 Main Street, Suite 1100
Columbia, SC 29201
803.255.8000
katondawson@parkerpoe.com

Stephanie A. Douglas (*pro hac vice*)

Bush Seyferth PLLC
100 W Big Beaver Road, #400
Troy, Michigan 48084
248.822.7800
turner@bsplaw.com

Attorneys for Appellants Centex Homes, a Nevada General Partnership and Balfour Beatty Construction, LLC as successor by merger to Centex Construction Company, Inc. and Centex Construction, LLC

June 13, 2025

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Michael Dawson d/b/a Michael Dawson Construction, and Inc.; Vereen Concrete Co. Inc.; AK Construction Inc. a/k/a AK Framing and Siding Co.; AK United, Inc. f/k/a AK Construction Inc., Third Party Defendants.

PROOF OF SERVICE

The undersigned hereby certifies that on June 13, 2025, copies of **APPELLANTS' MOTION TO BE RELIEVED AS COUNSEL** were served on all counsel of record via emails containing the above-referenced document to counsels' individual AIS email addresses:

Stacy L. Stanley, Esquire (SC Bar No.: 13410)
Stanley Law Firm
3303 Highway 9 East
Little River, SC 29566-7825
843.390.9111
sstanley@stanleylawfirm.com

Gene M. Connell, Jr., Esquire (SC Bar No.: 1358)
Kelaher, Connell & Connor, P.C.
The Courtyard, Suite 209
1500 U.S. Highway 17 North
Post Office Drawer 14547
Surfside Beach, SC 29587-4547
843.238.5648
gconnell@classactlaw.net

Attorneys for Respondent Wedgewood Condominium Association

s/Paul N. Nybo

Thomas C. Hildebrand, Jr. (S.C. Bar No. 2501)
William G. DesChamps, IV (S.C. Bar No. 100596)
Paul N. Nybo (S.C. Bar No. 105825)
Robert C. Byrd (S.C. Bar No. 1069)
William G. Land (S.C. Bar No. 104179)
PARKER POE ADAMS & BERNSTEIN, LLP
850 Morrison Drive, Suite 400
Charleston, SC 29403
Telephone: 843-727-2650
tomhildebrand@parkerpoe.com
willdeschamps@parkerpoe.com
nicknybo@parkerpoe.com
bobbybyrd@parkerpoe.com

greysonland@parkerpoe.com

Katon E. Dawson, Jr. (SC Bar # 101167)
PARKER POE ADAMS & BERNSTEIN LLP
1221 Main Street, Suite 1100
Columbia, SC 29201
803.255.8000
katondawson@parkerpoe.com

Stephanie A. Douglas (*pro hac vice*)
Jeffrey A. Turner (*pro hac vice*)
Bush Seyferth PLLC
100 W Big Beaver Road, #400
Troy, Michigan 48084
248.822.7800
douglas@bsplaw.com
turner@bsplaw.com

Attorneys for Appellants Centex Homes, a Nevada General Partnership and Balfour Beatty Construction, LLC as successor by merger to Centex Construction Company, Inc. and Centex Construction, LLC

June 13, 2025

Heuss, Lauren A.

From: Heuss, Lauren A.
Sent: Friday, June 13, 2025 1:53 PM
To: 'Court Of Appeals Filings'
Cc: Gouin, Kelly J.; sstanley@stanleylawfirm.com; bsmith@classactlaw.net; lbenton@classactlaw.net; msimpson@stanleylawfirm.com; Hildebrand, Jr., Thomas C.; DesChamps, IV, William G.; douglas@bsplaw.com; Nybo, Nick; gconnell@classactlaw.net; sconnor@classactlaw.net; sstanley@stanleylawfirm.com; Dawson, Jr., Katon E.; Conte, Tracy L.
Subject: Wedgewood Condominium Association v. Centex Homes
Attachments: Wedgewood - Motion to Withdraw.pdf; Wedgewood - Proof of Service.pdf

Mrs. Kitchings,

Good afternoon. Attached for filing regarding Wedgewood Condominium Association v. Centex Homes, et al. Appellate Case No. 2023-001132, please find Appellant's Motion of Withdrawal of Counsel, as well as Proof of Service for same. Copies are being served upon all Counsel of record by copy of this email. The required motion filing fee in the amount of \$50 will be mailed to your office today.

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Court of Appeals
Attn: Jenny Abbott Kitchings
1220 Senate St.
Columbia, SC 29201

29201-376999

