

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

69993

APPEAL FROM THE CHARLESTON COUNTY
Court of Common Pleas

The Honorable Roger M. Young, Sr.

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OCT 07 2013

SC Court of Appeals

Case No.: 2010-CP-10-9762

Appellate Case No: 2012-213351

Hayden Jeffords, individually and on behalf of all others similarly situated, Titus Gudel, Harold S. McEwan, D. Everett Walker, Paul Kane, Jeanne Debosh, Margarita Staudt, Leslie Anne O'Neal, Trivette C. Hatcher, William Scanlon, Delia Scanlon, Christy C. Parish, Joseph Ladue, Deborah Ladue, Pamela Snyder, Steven Goldberg, Brent McClaine, Brian Rasmussen, McKenzie Hutaff, Brian Kavanagh, Lynn Harris, and Kenneth A. Brown, Plaintiffs,

Of Whom, Hayden Jeffords, individually and on behalf of all others similarly situated, Titus Gudel, Harold S. McEwan, D. Everett Walker, Paul Kane, Jeanne Debosh, Margarita Staudt, William Scanlon, Delia Scanlon, Christy C. Parish, Joseph Ladue, Deborah Ladue, Pamela Snyder, Steven Goldberg, Brent McClaine, Brian Rasmussen, McKenzie Hutaff, Brian Kavanagh, Lynn Harris, and Kenneth A. Brown are the Secondary Appellants,

And

Of Whom John Zohlen, Mary Zohlen, Leslie Anne O'Neal, and Trivette C. Hatcher are the Respondents.

v.

East Bridge Town Lofts, LLC, a/k/a East Bridge, LLC, a/k/a East Ridge Homes, LLC, a/k/a East Bridge Lofts, LLC, Central 3, LLC, Creekstone East Bridge, LLC, Creekstone SC I, LLC, Alexandra Road Investors, LLC, Creekstone Management, LLC, Creekstone Management, Inc., Donald K. Henry, Everett

Jackson, Steve Keller, East Coast Carpentry a/k/a ECC Contracting, LLC, Fuller Drywall & Paint, Ltd., Delta Mechanical, Inc. a/k/a Carolina Delta Mechanical, Wasson Electric Heating & Air, Bay Club Homes, LLC, Terracon Consultants, Inc., Salvador Rubalcaba d/b/a Rubalcaba Construction, Defendants,

Of Whom East Bridge Town Lofts, LLC a/k/a East Bridge, LLC, a/k/a East Ridge Homes, LLC, a/k/a East Bridge Lofts, LLC, Central 3, LLC, Creekstone East Bridge, LLC, Creekstone SC I, LLC, Alexandra Road Investors, LLC, Creekstone Management, LLC, Creekstone Management, Inc., Donald K. Henry, Everett Jackson, Steve Keller, Edward Michael Washburn, and Kevin Ball are the Primary Appellants,

v.

East Bridge Lofts, LLC; Central 3, LLC; Creekstone Eastbridge, LLC; and Creekstone SC I, LLC; Alexandra Road Investors, LLC; Creekstone Management, LLC; Donald K. Henry; Everett Jackson; Steve Keller; Edward Michael Washburn; Kevin Ball; and Bay Club Homes, LLC, Third-Party Plaintiffs,

v.

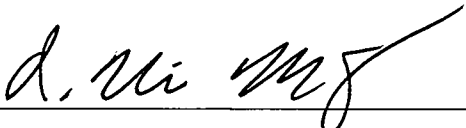
Robert Wasson and Barbara Wasson, individually and d/b/a Wasson Electric Heating & Air; and Charleston Chimney Services, Inc., Third-Party Defendants.

MOTION TO WITHDRAW APPEAL

Appellant Hayden Jeffords, individually and on behalf of all others similarly situated, et al., respectfully moves this Court, Pursuant to Rule 260(c) SCAR, for an Order granting the withdrawal of the Notice of Appeal filed on November 16, 2012 on the grounds that this case has settled.

Signature on following page

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Attorneys for Appellants

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Of Whom, Hayden Jeffords, individually and on behalf of all others similarly situated, Titus Gudel, Harold S. McEwan, D. Everett Walker, Paul Kane, Jeanne Debosh, Margarita Staudt, William Scanlon, Delia Scanlon, Christy C. Parish, Joseph Ladue, Deborah Ladue, Pamela Snyder, Steven Goldberg, Brent McClaine, Brian Rasmussen, McKenzie Hutaff, Brian Kavanagh, Lynn Harris, and Kenneth A. Brown are the Secondary Appellants,

And

Of Whom John Zohlen, Mary Zohlen, Leslie Anne O'Neal, and Trivette C. Hatcher are the Respondents.

v.

East Bridge Town Lofts, LLC, a/k/a East Bridge, LLC, a/k/a East Ridge Homes, LLC, a/k/a East Bridge Lofts, LLC, Central 3, LLC, Creekstone East Bridge, LLC, Creekstone SC I, LLC, Alexandra Road Investors, LLC, Creekstone Management, LLC, Creekstone Management, Inc., Donald K. Henry, Everett Jackson, Steve Keller, East Coast Carpentry a/k/a ECC Contracting, LLC, Fuller Drywall & Paint, Ltd., Delta Mechanical, Inc. a/k/a Carolina Delta Mechanical, Wasson Electric Heating & Air, Bay Club Homes, LLC,

Terracon Consultants, Inc., Salvador Rubalcaba d/b/a Rubalcaba Construction, Defendants,

Of Whom East Bridge Town Lofts, LLC a/k/a East Bridge, LLC, a/k/a East Ridge Homes, LLC, a/k/a East Bridge Lofts, LLC, Central 3, LLC, Creekstone East Bridge, LLC, Creekstone SC I, LLC, Alexandra Road Investors, LLC, Creekstone Management, LLC, Creekstone Management, Inc., Donald K. Henry, Everett Jackson, Steve Keller, Edward Michael Washburn, and Kevin Ball are the Primary Appellants,

v.

East Bridge Lofts, LLC; Central 3, LLC; Creekstone Eastbridge, LLC; and Creekstone SC I, LLC; Alexandra Road Investors, LLC; Creekstone Management, LLC; Donald K. Henry; Everett Jackson; Steve Keller; Edward Michael Washburn; Kevin Ball; and Bay Club Homes, LLC, Third-Party Plaintiffs,

v.

Robert Wasson and Barbara Wasson, individually and d/b/a Wasson Electric Heating & Air; and Charleston Chimney Services, Inc., Third-Party Defendants.

PROOF OF SERVICE

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I, I. Keith McCarty, Esq., do hereby certify that on October 4, 2013, I served the Court and opposing counsel with a copy of Motion to Withdraw Appeal via email and regular first class United States mail, postage prepaid, addressed as follows:

Robert T. Lyles, Jr., Esq.
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I. Keith McCarty

October ⁴ 2013
Charleston, South Carolina

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October 4, 2013

VIA U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Jeffords, et al v. East Bridge Town Lofts, LLC, a/k/a East Bridge, LLC,
a/k/a East Ridge Homes, LLC, a/k/a East Bridge Lofts, LLC et al
Case No.: 10-CP-10-9672
Appellate Case No: 2012-213351

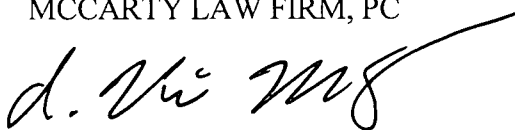
Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of Appellants' Motion to Withdraw Appeal, along with a Proof of Service in the above-referenced matter. Please return a file stamped copy to my office in the provided self-addressed, stamped envelope. By copy of this letter, I am serving opposing counsel with the Motion to Withdraw Appeal.

Thank you and with best regards, I am

Yours very truly,

MCCARTY LAW FIRM, PC



I. Keith McCarty

IKM/nero
Enclosures

cc: Michael S. Seekings, Esq.
Robert T. Lylyes, Jr., Esq.
Jason A. Pittman, Esq.
Preston B. Dawkins, Jr., Esq.
James A. Atkins, Esq.
Christy E. Mahon, Esq.
J. Patrick Norris, Esq.
William M. O'Neil, Esq.
J. Blanton O'Neal, Esq.
Justin O'Toole Lucey, Esq.

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