

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

68680 ✓

APPEAL FROM OCONEE COUNTY  
Court of Common Pleas

Alexander S. Macaulay, Presiding Judge Seventh Judicial Circuit

Case No. 2009-CP-37-652

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, Bette J. Taylor, and Robert White, Individually and on Behalf of All others similarly situated.....Plaintiffs

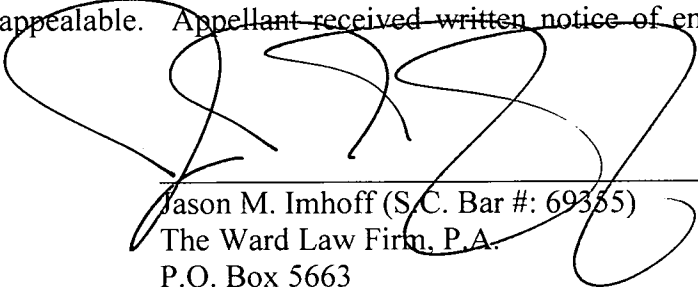
IMK Development Co., LLC, Keowee Townhouses, LLC, Ludwig Corporation, LLC, SDI Funding, LLC, Medallion at Keowee, LLC, Integrys Keowee Development, LLC, Marick Home Builders, LLC, Bostic Brothers Construction, Inc., Miller/Player & Associates, John Ludwig, Clear View Construction, LLC, Michael Franz, MHC Contractors, Miguel Porras Choncoas, Builders First Source Southeast Group, Mike Green, Southern Concrete Specialties, Carl Compton d/b/a Compton Enterprize a/k/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., Carl Catoe Construction, Inc., T.G. Construction, LLC, Delfino Construction, Francisco Javier Zarate d/b/a Zarate Construction, Alejandro Avalos Cruz, Heriberto 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/Player & Associates, .....Defendants

Of Defendants, Marick Home Builders, LLC and Rick Thoennes .....Appellants,

Of Defendants, Clear View Construction, LLC and Michael Franz.....Respondents

NOTICE OF APPEAL

Marick Home Builders, LLC and Rick Thoennes appeal the order of the Honorable Alexander S. Macaulay dated May 22, 2013 denying Defendants Marick Home Builders, LLC and Rick Thoennes' Motion for Reconsideration and to Alter Judgment as to Respondents, attached as Exhibit "A". Pursuant to Rule 59(e), SCRCP, the denying of motion to reconsideration is immediately appealable. Appellant received written notice of this order on May 24, 2013.



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ATTORNEYS FOR THE APPELLANTS

June 6, 2013

RESPONDENTS' COUNSEL OF RECORD:

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Lindsay L. Builder, Esquire  
Wilkes Law Firm, PA  
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*Attorneys for Respondents Clear View Construction, LLC and Michael Franz*

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SC Court of Appeals

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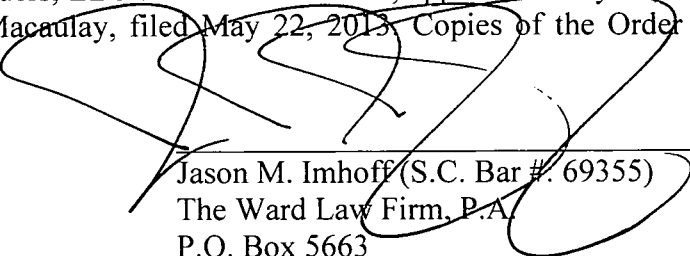
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Of Defendants, Marick Home Builders, LLC and Rick Thoennes .....Appellants,

Of Defendants, Clear View Construction, LLC and Michael Franz.....Respondents

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, First Class postage prepaid, on June 6, 2013, addressed to Respondents' attorneys of record, Lindsay L. Builder, Esquire, 127 Dunbar Street, Suite 200 Spartanburg, SC 29306 (attorney for Clear View Construction, LLC and Michael Franz. The Appellants, Marick Home Builders, LLC and Rick Thoennes, appeal the May 22, 2013 Order of the Honorable Alexander S. Macaulay, filed May 22, 2013. Copies of the Order are attached hereto.

  
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ATTORNEYS FOR THE APPELLANTS

June 6, 2013

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June 6, 2013

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11639  
Columbia, SC 29211

**Re: Stoneledge at Lake Keowee Owners' Association, Inc., et al. vs. IMK  
Development Co., LLC, et al. vs. Michael Franz, et al.  
Oconee County Case Number: 2009-CP-37-652**

Dear Ms. Kitchings,

Enclosed for filing with regard to the above-referenced matter, please find the following:

1. Notice of Appeal (with Exhibit "A");
2. Proof of Service of the Notice of Appeal on the Respondents; and
3. This firm's check in the amount of \$100.00 for the filing fee.

I have also included an extra copy of the Notice of Appeal with Proof of Service and would appreciate your returning these copies, file-stamped, to me in the envelope provided for your convenience. Should you have any questions, please do not hesitate to contact me.

Thank you for your time and consideration.

Sincerely,

Jason M. Imhoff

JMI/ads  
Enclosure

Cc: All Counsel of Record (via electronic mail only)  
The Honorable Alexander S. Macaulay

Lindsay L. Builder, Esquire  
Ms. Beverly H. Whitefield

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Spartanburg, SC 29304

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