

From: [Nosizi Ralephata](#)
To: [Justin Lucey](#); [Kitchings, Jenny](#); [brent.deshields@earhartoverstreet.com](#); [jross@rclawsc.com](#); [bcushman@martineauking.com](#); [Elizabeth Martineau](#); [Nicholas Gex](#); [Julie Fekete](#); [Dabny Lynn](#); [Sohayla Townes](#); [mandee.funai@liquidityservices.com](#); [trevor@wdwlawfirm.com](#); [Charlotte Winckler](#)
Cc: [paralegal@earhartoverstreet.com](#); [sgoldenberg@rclawsc.com](#); [service@martineauking.com](#); [Joel Milliken](#); [Christina Smith](#); [Robin Mobley](#); [Lilly Wheeler](#); [Annette Mixson](#); [Lee Weiland](#); [grace@wdwlawfirm.com](#); [Chris Chandler](#)
Subject: Re: 2024-000057 Natalie Zitek v. DR Horton (3)
Date: Monday, January 12, 2026 11:34:51 AM

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Hi Justin, I saw your emails and like I said on December 23, 2025, we are waiting for final instructions from Selective and coverage counsel.

I was out most of last week for hearings and meetings, which added to the delay, but we should have an update for everyone soon.

Thanks.

NOSI RALEPHATA | Partner

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From: Justin Lucey <jlucey@lucey-law.com>
Sent: Monday, January 12, 2026 8:25 AM
To: Nosizi Ralephata <nralephata@grsm.com>; Kitchings, Jenny <jkitchings@sccourts.org>; brent.deshields@earhartoverstreet.com <brent.deshields@earhartoverstreet.com>; jross@rclawsc.com <jross@rclawsc.com>; bcushman@martineauking.com <bcushman@martineauking.com>; Elizabeth Martineau <emartineau@martineauking.com>; Nicholas Gex <ngex@grsm.com>; Julie Fekete <jfekete@grsm.com>; Dabny Lynn <dlynn@lucey-law.com>; Sohayla Townes <stownes@lucey-law.com>; mandee.funai@liquidityservices.com <mandee.funai@liquidityservices.com>; trevor@wdwlawfirm.com <trevor@wdwlawfirm.com>; Charlotte Winckler <cwinckler@lucey-law.com>
Cc: paralegal@earhartoverstreet.com <paralegal@earhartoverstreet.com>; sgoldenberg@rclawsc.com <sgoldenberg@rclawsc.com>; service@martineauking.com <service@martineauking.com>; Joel Milliken <jmilliken@grsm.com>; Christina Smith <crsmith@grsm.com>; Robin Mobley <rmobley@grsm.com>; Lilly Wheeler <lwheeler@lucey-law.com>

law.com>; Annette Mixson <amixson@lucey-law.com>; Lee Weiland <lweiland@lucey-law.com>; grace@wdwlawfirm.com <grace@wdwlawfirm.com>; Chris Chandler <cchandler@lucey-law.com>
Subject: RE: 2024-000057 Natalie Zitek v. DR Horton (3)

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Good morning Jeff & Nosizi,

I hope you are both well,

I am not sure that we received the courtesy of a response to this communication last week, or a confirmation of the settlement to the Court. As you may know, the insurance carrier for appellant JLS settled this appeal in the collateral insurance coverage action. Can you please inform us when we can expect a reply or confirmation ?

If you prefer, I can make a motion and attach a copy of the executed settlement agreement.

Justin Lucey

Justin O'Toole Lucey, P.A.

415 Mill Street

Mount Pleasant, SC 29464

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From: Justin Lucey

Sent: Monday, January 5, 2026 6:47 AM

To: 'Nosizi Ralephata' <nralephata@grsm.com>; Kitchings, Jenny <jkitchings@sccourts.org>; brent.deshields@earhartoverstreet.com; jross@rclawsc.com; bcushman@martineauking.com; Elizabeth Martineau <emartineau@martineauking.com>; Nicholas Gex <ngex@grsm.com>; Julie Fekete <jfekete@grsm.com>; Dabny Lynn <dlynn@lucey-law.com>; Sohayla Townes <stownes@lucey-law.com>; mandee.funai@liquidityservices.com; trevor@wdwlawfirm.com; Charlotte Winckler <cwinckler@lucey-law.com>

Cc: paralegal@earhartoverstreet.com; sgoldenberg@rclawsc.com; service@martineauking.com; Joel Milliken <jmilliken@grsm.com>; Christina Smith <crsmith@grsm.com>; Robin Mobley <rmobley@grsm.com>; Lilly Wheeler <lwheeler@lucey-law.com>; Annette Mixson <amixson@lucey-law.com>; Lee Weiland <lweiland@lucey-law.com>; grace@wdwlawfirm.com; Chris Chandler

<cchandler@lucey-law.com>

Subject: RE: 2024-000057 Natalie Zitek v. DR Horton (3)

Good morning Nosizi,

I confirmed this settlement resolution, including the release and dismissal of JLS Masonry, with Jeff Ross, counsel of record for the Appellant, before notifying the Court.

Please confirm the agreement to dismiss this appeal so that the trial court can consider and confirm the settlement.

Justin Lucey

Justin O'Toole Lucey, P.A.

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From: Nosizi Ralephata <nralephata@grsm.com>

Sent: Tuesday, December 23, 2025 11:12 AM

To: Kitchings, Jenny <jkitchings@sccourts.org>; Justin Lucey <jlucey@lucey-law.com>; brent.deshields@earhartoverstreet.com; jross@rclawsc.com; bcushman@martineauking.com; Elizabeth Martineau <emartineau@martineauking.com>; Nicholas Gex <ngex@grsm.com>; Julie Fekete <jfekete@grsm.com>; Dabny Lynn <dlynn@lucey-law.com>; Sohayla Townes <stownes@lucey-law.com>; mandee.funai@liquidityservices.com; trevor@wdwlawfirm.com; Charlotte Winckler <cwinckler@lucey-law.com>

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Subject: Re: 2024-000057 Natalie Zitek v. DR Horton (3)

Greetings Justin and Jenny.

We are in receipt of the email correspondence below and are consulting with our clients. I will update everyone as soon as I receive instructions from our clients.

Thanks, and happy and safe holiday wishes to everyone.

NOSI RALEPHATA | Partner

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From: Kitchings, Jenny <jkitchings@sccourts.org>

Sent: Friday, December 19, 2025 4:23 PM

To: Justin Lucey <jlucey@lucey-law.com>; brent.deshields@earhartoverstreet.com <brent.deshields@earhartoverstreet.com>; jross@rclawsc.com <jross@rclawsc.com>; bcushman@martineauking.com <bcushman@martineauking.com>; Elizabeth Martineau <emartineau@martineauking.com>; Nosizi Ralephata <nralephata@grsm.com>; Nicholas Gex <ngex@grsm.com>; Julie Fekete <jfekete@grsm.com>; Dabny Lynn <dlynn@lucey-law.com>; Sohayla Townes <stownes@lucey-law.com>; mandee.funai@liquidityservices.com <mandee.funai@liquidityservices.com>; trevor@wdwlawfirm.com <trevor@wdwlawfirm.com>; Charlotte Winckler <cwinckler@lucey-law.com>

Cc: paralegal@earhartoverstreet.com <paralegal@earhartoverstreet.com>; sgoldenberg@rclawsc.com <sgoldenberg@rclawsc.com>; service@martineauking.com <service@martineauking.com>; Joel Milliken <jmilliken@grsm.com>; Christina Smith <crsmith@grsm.com>; Robin Mobley <rmobley@grsm.com>; Lilly Wheeler <lwheeler@lucey-law.com>; Annette Mixson <amixson@lucey-law.com>; Lee Weiland <lweiland@lucey-law.com>; grace@wdwlawfirm.com <grace@wdwlawfirm.com>; Chris Chandler <cchandler@lucey-law.com>

Subject: RE: 2024-000057 Natalie Zitek v. DR Horton (3)

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Dear Mr. Lucey,

Happy holidays, and thank you for this email. Unless there is an objection, we can issue an order remanding this matter to the trial court

to approve the settlement. We do not need a formal motion, but we will wait to hear from Mr. Ross before taking action.

Warmly,

Jenny

From: Justin Lucey <jlucey@lucey-law.com>

Sent: Friday, December 19, 2025 3:54 PM

To: Kitchings, Jenny <jkitchings@sccourts.org>; brent.deshields@earhartoverstreet.com; jross@rclawsc.com; bcushman@martineauking.com; emartineau@martineauking.com; nralephata@grsm.com; ngex@grsm.com; jfekete@grsm.com; Dabny Lynn <dlynn@lucey-law.com>; Sohayla Townes <stownes@lucey-law.com>; mandee.funai@liquidityservices.com; trevor@wdwlawfirm.com; Charlotte Winckler <cwinckler@lucey-law.com>

Cc: paralegal@earhartoverstreet.com; sgoldenberg@rclawsc.com; service@martineauking.com; jmilliken@grsm.com; crsmith@grsm.com; rmobley@grsm.com; Lilly Wheeler <lwheeler@lucey-law.com>; Annette Mixson <amixson@lucey-law.com>; Lee Weiland <lweiland@lucey-law.com>; grace@wdwlawfirm.com; Chris Chandler <cchandler@lucey-law.com>

Subject: RE: 2024-000057 Natalie Zitek v. DR Horton (3)

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Jenny,

I am pleased to announce that the Zitek v. JLS verdict has been settled. I am asking Jeff Ross, counsel for JLS, to confirm this for you as its his client's appeal.

We would like to have the case remanded to the Trial Court so that it can conduct a Rule 23 hearing to review and approve the settlement. Please let us know if you need formal paperwork after Mr. Ross confirms his consent.

This settlement does not include/affect the other two appeals between DR Horton and its third party defendant contractors, arising out of the same case, which I assume remain pending.

Have a nice weekend.

Justin Lucey

Justin O'Toole Lucey, P.A.

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u=http://www.lucey-law.com/](https://link.edgепilot.com/s/a8cbf199/A1z4Sg5jjk22Zpl1G6xe_g?u=http://www.lucey-law.com/)

From: Kitchings, Jenny <jkitchings@sccourts.org>

Sent: Wednesday, November 26, 2025 9:20 AM

To: Justin Lucey <jlucey@lucey-law.com>; brent.deshields@earhartoverstreet.com;
jross@rclawsc.com; bcushman@martineauking.com; emartineau@martineauking.com;
nralephata@grsm.com; ngex@grsm.com; jfekete@grsm.com; Dabny Lynn <dlynn@lucey-law.com>;
Sohayla Townes <stownes@lucey-law.com>; mandee.funai@liquidityservices.com;
trevor@wdwlawfirm.com; Charlotte Winckler <cwinckler@lucey-law.com>

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jmilliken@grsm.com; crsmith@grsm.com; rmobley@grsm.com; Lilly Wheeler <lwheeler@lucey-law.com>;
Annette Mixson <amixson@lucey-law.com>; Lee Weiland <lweiland@lucey-law.com>;
grace@wdwlawfirm.com; Chris Chandler <cchandler@lucey-law.com>

Subject: RE: 2024-000057 Natalie Zitek v. DR Horton (3)

Dear Counsel,

Thank you for your responses. Mr. Lucey, we are still planning to schedule Zitek v. DR Horton (1) and Zitek v. DR Horton (2) for possible oral argument in February, and we hope to set this case for the March term. If you are not involved in the other two matters, you may release our February dates. Otherwise, we would ask you to please continue to hold. We plan to send oral argument notifications for February at the beginning of January, and March oral argument notifications will go out at the beginning of February.

Please don't hesitate to let us know if we can address any other questions or concerns.

Warmly,

Jenny

From: Justin Lucey <jlucey@lucey-law.com>

Sent: Tuesday, November 25, 2025 12:24 PM

To: Kitchings, Jenny <jkitchings@sccourts.org>; brent.deshields@earhartoverstreet.com;

jross@rclawsc.com; bcushman@martineauking.com; emartineau@martineauking.com;
nralephata@grsm.com; ngex@grsm.com; jfekete@grsm.com; Dabny Lynn <dlynn@lucey-law.com>;
Sohayla Townes <stownes@lucey-law.com>; mandee.funai@liquidityservices.com;
trevor@wdwlawfirm.com; Charlotte Winckler <cwinckler@lucey-law.com>
Cc: paralegal@earhartoverstreet.com; sgoldenberg@rclawsc.com; service@martineauking.com;
jmilliken@grsm.com; crsmith@grsm.com; rmobley@grsm.com; Lilly Wheeler <lwheeler@lucey-law.com>;
Annette Mixson <amixson@lucey-law.com>; Lee Weiland <weiland@lucey-law.com>;
grace@wdwlawfirm.com; Chris Chandler <cchandler@lucey-law.com>
Subject: RE: 2024-000057 Natalie Zitek v. DR Horton (3)

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Good afternoon,

Plaintiff is available on these 3 March dates. Confirming – it is appropriate to release the February dates ?

Thank you

Justin Lucey

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u=http://www.lucey-law.com/](https://link.edgepilot.com/s/6cf8789e/9N1AbbZ8zk2FzvQ23Mwqqg?u=http://www.lucey-law.com/)

From: Kitchings, Jenny <jkitchings@sccourts.org>

Sent: Tuesday, November 25, 2025 12:03 PM

To: brent.deshields@earhartoverstreet.com; jross@rclawsc.com; bcushman@martineauking.com;
emartineau@martineauking.com; nralephata@grsm.com; ngex@grsm.com; jfekete@grsm.com;
Justin Lucey <jlucey@lucey-law.com>; Dabny Lynn <dlynn@lucey-law.com>; Sohayla Townes
<stownes@lucey-law.com>; mandee.funai@liquidityservices.com; trevor@wdwlawfirm.com;
Charlotte Winckler <cwinckler@lucey-law.com>

Cc: paralegal@earhartoverstreet.com; sgoldenberg@rclawsc.com; service@martineauking.com;
jmilliken@grsm.com; crsmith@grsm.com; rmobley@grsm.com; Lilly Wheeler <lwheeler@lucey-law.com>;
Annette Mixson <amixson@lucey-law.com>; Lee Weiland <weiland@lucey-law.com>;
grace@wdwlawfirm.com; Chris Chandler <cchandler@lucey-law.com>

Subject: 2024-000057 Natalie Zitek v. DR Horton (3)

Dear Counsel,

The Court may be able to schedule this matter for oral argument on March 2, 3, or 10, 2026. Please reply to this email to let me know your availability for these dates.

Thank you.



Jenny Abbott Kitchings

Clerk of Court

South Carolina Court of Appeals

1220 Senate Street

Columbia, SC 29201

Filings: ctappfilings@sccourts.org

Phone: (803) 734-1891

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