

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

Palmetto Pointe at Peas Island Condominium
Property Owners Association, Inc and
Elizabeth A. Bushey, individually, and on
behalf of all others similarly situated,

Plaintiffs,

vs.

Tri County Roofing, Inc., et al.

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO.: 2015-CP-10-00955

**ORDER DENYING DEFENDANT TRI-
COUNTY ROOFING, INC.'S MOTION
TO RECONSIDER**

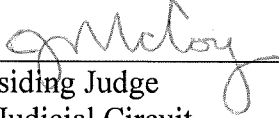
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Mar 05 2026

SC Court of Appeals

Defendant Tri County Roofing, Inc.'s Motion to Reconsider was filed December 30,
2025, and came before this court on January 30, 2026. Defendant's motion is hereby DENIED.
At Plaintiff's request, their position is expressed in the attached email exchange hereto.

IT IS SO ORDERED.



Presiding Judge
9th Judicial Circuit

McCoy, Jennifer B. Law Clerk (Eliza Lay)

From: Justin Lucey <jlucey@lucey-law.com>
Sent: Wednesday, January 28, 2026 1:12 PM
To: McCoy, Jennifer B. Secretary (Brooke Slade); Christian Stegmaier; McCoy, Jennifer B. Law Clerk (Eliza Lay)
Cc: Lee Weiland; 'Hines, Russell'; Stephanie Drawdy; Evan M. Gessner; Sohayla Townes; 'Buckley, Edward D. (Ed)'; ademato@ycrlaw.com; Anna McCann; 'Glover, Sherry'; Richard E. Zelonka
Subject: RE: Request for Hearing: Palmetto Pointe at Peas Island Condominium Property Owners Ass'n, Inc. v. Certain Underwriters at Lloyd's London, et al., C/A No. 2021-CP-10-04380.
Attachments: RE: Palmetto Pointe POA v. Island Pointe, LLC, et al. (2015-CP-10-00955) -- Notice of Appeal

Good afternoon Brooke,

Attached please find the Notice of Appeal file stamped by the Court of Appeals.

Plaintiffs believe that further hearings on this issue in the Circuit Court are stayed by this appeal. While Movant couches its motion as a Motion to Reconsider the December 30, 2025 order, all the relief sought in the motion pertains to the order issued on August 28, 2025, which is on appeal. (Reconsideration of the August 28, 2025, Order was denied on December 11, 2025).

I will further note that as such, Movants December 30, 2025 Motion to Reconsider is in fact an impermissible second and untimely motion to reconsider the August 28, 2025, Order. It is not a motion to reconsider the December 30, 2025 form order.

For starters, nowhere does the current motion challenge the only relief granted in this Court's December 30, 2025 Order – the clarification of the payee.

In fact, the instant motion focuses entirely on the deadlines set forth in the August 28, 2025 Order, for the completion of the Plaintiffs other action against Lloyds and the disbursement of the funds./1 As stated above, the August 28, 2025 Order is on appeal.

Moreover, pursuant to this Court's August 28, 2025 Order, and the clarification of the payee in the December 30, 2025, 10:33am Form 4 Order, the Clerk of Court disbursed the funds to Plaintiffs' counsel on December 30, 2025. This disbursement occurred prior to the Defendant contacting the Court, and prior to the later filed

motion. So, besides the Motion being an untimely second motion to reconsider, and being preempted by the jurisdiction of the Court of Appeals, the subject matter has now been mooted by the Clerk's execution of the previously ordered relief.

To recap, Plaintiffs believe that jurisdiction of this Court has been stayed by the appeal. Moreover, the instant motion is an untimely, second, motion to reconsider an Order which has already been put into effect by the Clerk of Court.

Subject thereto, counsel will make themselves available at the time and location directed by the Court if the Court decides to proceed.

Respectfully submitted,

Justin Lucey & Ed Buckley

/1 After paying lip service to the Dec. 30, 2025 Order in the introductory paragraph, the Motion goes on to address "The original Order" and what it "contemplated" and requests "that the Court extend the applicable deadline governing the stay of disbursement" which Movant had discussed earlier in the Motion as originating in the August 28, 2025 Order.

Justin O'Toole Lucey, P.A.

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From: McCoy, Jennifer B. Secretary (Brooke Slade) <jmccoysc@sccourts.org>

Sent: Tuesday, January 27, 2026 3:07 PM

To: Christian Stegmaier <cstegmaier@collinsandlacy.com>; McCoy, Jennifer B. Law Clerk (Eliza Lay) <jmccoyle@sccourts.org>

Cc: Lee Weiland <lweiland@lucey-law.com>; 'Hines, Russell' <RHines@ycrlaw.com>; Stephanie Drawdy <sdrawdy@lucey-law.com>; Evan M. Gessner <egessner@collinsandlacy.com>; Sohayla Townes <stownes@lucey-law.com>; 'Buckley, Edward D. (Ed)' <ebuckley@ycrlaw.com>; ademato@ycrlaw.com; Anna McCann <amccann@lucey-law.com>; 'Glover, Sherry' <sglover@ycrlaw.com>; Richard E. Zelonka <rzelonka@wshblaw.com>; Justin Lucey <jlucey@lucey-law.com>

Subject: RE: Request for Hearing: Palmetto Pointe at Peas Island Condominium Property Owners Ass'n, Inc. v. Certain Underwriters at Lloyd's London, et al., C/A No. 2021-CP-10-04380.

Good afternoon,

Thank you. Our office did not receive notice of appeal. Judge McCoy is available Friday, January 30, 2026 at 10:00 AM if a hearing is needed. The login information for her virtual courtroom is below.

You may access the Virtual Courtroom by clicking the following link:
https://link.edgepilot.com/s/d78001b4/6xb_VALSUUCbHf78YFjkw?u=https://scjudicial.webex.com/scjudicial/j.php?MTID=mc495d441e0f1d8b3f9f7c9c7919edc23

If you are unable to access the link, go to
https://link.edgepilot.com/s/66e3e8f5/QBtN_yk9PUy7VZL_WWBWPg?u=http://www.sccourts.org/.
 Hover over "Quick Links" tab, then click on "Trial Court Virtual Portal", then click on "List of Circuit Court Virtual Courtrooms by Judge". Find Judge McCoy's name and click on the virtual courtroom hyperlink.

Thanks.

Best,

Brooke S. Slade

Administrative Assistant
 The Honorable Jennifer B. McCoy
 100 Broad Street, Suite 348
 Charleston, SC 29401
 Phone: (843) 958-5066

From: Christian Stegmaier <cstegmaier@collinsandlacy.com>

Sent: Tuesday, January 27, 2026 2:21 PM

To: McCoy, Jennifer B. Secretary (Brooke Slade) <jmccoysc@sccourts.org>; McCoy, Jennifer B. Law Clerk (Eliza Lay) <jmccoyle@sccourts.org>

Cc: Lee Weiland <lweiland@lucey-law.com>; 'Hines, Russell' <RHines@ycrlaw.com>; Stephanie Drawdy <sdrawdy@lucey-law.com>; Evan M. Gessner <egessner@collinsandlacy.com>; Sohayla Townes <stownes@lucey-law.com>; 'Buckley, Edward D. (Ed)' <ebuckley@ycrlaw.com>; ademato@ycrlaw.com; Anna McCann <amccann@lucey-law.com>; 'Glover, Sherry' <sglover@ycrlaw.com>; Richard E. Zelonka <rzelonka@wshblaw.com>; Justin Lucey <jlucey@lucey-law.com>

Subject: Request for Hearing: Palmetto Pointe at Peas Island Condominium Property Owners Ass'n, Inc. v. Certain Underwriters at Lloyd's London, et al., C/A No. 2021-CP-10-04380.

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good afternoon-

We would request an in person or Webex hearing on the motion for reconsideration on the recent Form 4 re: release of the funds on deposit with the Clerk of Court. My only unavailability for the next two weeks is Thursday. Otherwise, I can be available at the Court's convenience.

As the Court may be aware, Plaintiff served and filed a notice of appeal of the Court's order on the payment of the funds in the Clerk's office; however, this notice was served and filed after the current motion of reconsideration was filed with this Court (but not yet disposed of).

Plaintiff's counsel has related to me his belief the Circuit Court is now divested of jurisdiction due to recent appeal. We do not concur for several reasons including the fact there remains the pending motion before this Court; hence, the request to be heard (which was originally made in late December). See Rule 241(a) SCACR (mechanism for permitting Circuit Court to maintain jurisdiction notwithstanding pendency of an appeal).

Thank you for your time and attention; we will await your guidance.

V/R

Christian Stegmaier
Collins & Lacy, PC
Cell 803-467-9699

From: McCoy, Jennifer B. Secretary (Brooke Slade) <jmccoysc@sccourts.org>
Sent: Tuesday, January 20, 2026 10:33 AM
To: Christian Stegmaier <cstegmaier@collinsandlacy.com>; Justin Lucey <jlucey@lucey-law.com>; McCoy, Jennifer B. Law Clerk (Eliza Lay) <jmccoyle@sccourts.org>
Cc: Lee Weiland <lweiland@lucey-law.com>; 'Hines, Russell' <RHines@ycrlaw.com>; Stephanie Drawdy <sdrawdy@lucey-law.com>; Evan M. Gessner <egessner@collinsandlacy.com>; Sohayla Townes <stownes@lucey-law.com>; 'Buckley, Edward D. (Ed)' <ebuckley@ycrlaw.com>; ademato@ycrlaw.com; Anna McCann <amccann@lucey-law.com>; 'Glover, Sherry' <sglover@ycrlaw.com>; Richard E. Zelonka <rzelonka@wshblaw.com>
Subject: RE: Request: Palmetto Pointe at Peas Island Condominium Property Owners Ass'n, Inc. v. Certain Underwriters at Lloyd's London, et al., C/A No. 2021-CP-10-04380.

Caution: This is an external email. Please take care when clicking links or opening attachments.

Good morning,

I am following up on the below email. Please let us know if you need anything further.

Best,

Brooke S. Slade

Administrative Assistant
The Honorable Jennifer B. McCoy
100 Broad Street, Suite 348
Charleston, SC 29401
Phone: (843) 958-5066

From: McCoy, Jennifer B. Secretary (Brooke Slade)
Sent: Tuesday, January 6, 2026 11:23 AM
To: 'Christian Stegmaier' <cstegmaier@collinsandlacy.com>; Justin Lucey <jlucey@lucey-law.com>; McCoy, Jennifer B. Law Clerk (Eliza Lay) <jmccoyle@sccourts.org>
Cc: Lee Weiland <lweiland@lucey-law.com>; 'Hines, Russell' <RHines@ycrlaw.com>; Stephanie Drawdy

<sdrawdy@lucey-law.com>; Evan M. Gessner <egessner@collinsandlacy.com>; Sohayla Townes <stownes@lucey-law.com>; 'Buckley, Edward D. (Ed)' <ebuckley@ycrlaw.com>; ademato@ycrlaw.com; Anna McCann <amccann@lucey-law.com>; 'Glover, Sherry' <sglover@ycrlaw.com>; Richard E. Zelonka <rzelonka@wshblaw.com>

Subject: RE: Request: Palmetto Pointe at Peas Island Condominium Property Owners Ass'n, Inc. v. Certain Underwriters at Lloyd's London, et al., C/A No. 2021-CP-10-04380.

Thank you. Judge McCoy is will be in trial that week. However, she will stop to accommodate this matter. Please discuss a date and time together and let us know when you would like this hearing to go forward. Also, let us know if you all prefer in person or virtual.

Availability:

January 21-22; January 26-30

Monday, January 19th is a holiday. She is qualifying the jury Tuesday, January 20th, and Friday, January 23rd is a mandatory seminar she has to attend alongside all judges.

Thanks!

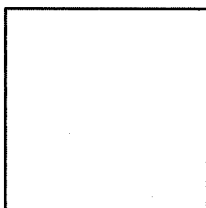
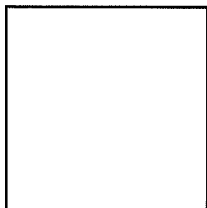
Brooke S. Slade

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Christian Stegmaier
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In light of the Amended Order of the S.C. Supreme Court effective February 4, 2022 (Order 2020-04-03-01), we will be serving discovery via e-mail only.

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