

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY

The Honorable Walton J. McLeod
Circuit Court Judge

Appellate Case No. 2025-000905

Bundy McDonald, LLC, Appellant,

v.

WECO River District, LLC, Respondent.

APPELLANT'S MOTION TO AMEND THE FINAL BRIEFS
TO CONFORM TO THE RECORD ON APPEAL

Pursuant to Rules 211(b) and 240, SCACR, Appellant Bundy McDonald, LLC ("Appellant") respectfully moves this Court for leave to file the Amended Final Brief and Amended Final Reply Brief. The grounds for this Motion are as follows:

1. By Order filed June 23, 2026, this Court granted Appellant's motion to amend the Record on Appeal and accepted the Amended Record on Appeal as filed.
2. Since the filing of the briefs, Michael Brent McDonald, Esq., who had assisted Mr. Bundy in preparing the briefs, has been placed on inactive status. W. H. Bundy, Jr. will present the appeal on behalf of Appellant.
3. Appellant's Final Brief and Final Reply Brief were filed on April 20, 2026, before the Amended Record on Appeal was accepted by this Court. As a result, certain of the briefs'

citations to the Record no longer correspond to the pagination of the Amended Record. As contemplated by Rule 211(b), SCACR, the amended briefs update all of the briefs' citations to the Record so that each corresponds to the correct page of the Amended Record on Appeal, and add transcript page-and-line references that had been omitted.

4. In addition, while the standard of review stated in the Final Brief, that questions of law are reviewed de novo, is correct, the Brief inadvertently cited the wrong authority for that proposition. The Amended Final Brief corrects the citation from *Mozingo & Wallace Architects, L.L.P. v. Grand to Callawassie Island Members Club, Inc. v. Dennis*, 425 S.C. 193, 821 S.E.2d 667 (2018).
5. The amended briefs also correct a transposed-digit typographical error in the Conclusion of each brief, which stated the total amount sought as \$276,066.05 rather than \$276,066.50, the sum of the \$197,258.45 claim and \$78,808.05 in prejudgment interest stated elsewhere in the briefs and in Appellant's proposed order (R. p. 252).
6. The amended briefs also conform the form of the papers to Rule 267, SCACR. The amendments make no substantive change to any argument and do not enlarge the briefs.

WHEREFORE, Appellant respectfully requests that this Court grant leave to file the Amended Final Brief and Amended Final Reply Brief submitted herewith, and deem them filed as of the date of this Court's order.

[Signature on following page]

Respectfully submitted,
BUNDY McDONALD, LLC

s/W. H. Bundy, Jr.
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Attorney for Appellant Bundy McDonald, LLC

July 14, 2026

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Bundy McDonald, LLC, Appellant,

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PROOF OF SERVICE

The undersigned hereby certifies that on July 14, 2026, concurrently with the filing of the same, he served counsel for Respondent with copies of the following documents:

1. Appellant's Motion to Amend the Final Briefs;
2. Appellant's Amended Final Brief; and
3. Appellant's Amended Final Reply Brief.

Service was made by electronic mail at the email address designated by counsel for Respondent in the South Carolina Attorney Information System (AIS), addressed as follows:

Henry P. Wall, Esq.
Bruner Powell Wall & Mullins, LLC
hwall@brunerpowell.com
Attorney for Respondent

BUNDY McDONALD, LLC

s/W. H. Bundy, Jr.

W. H. Bundy, Jr. (SC Bar No. 1012)

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Attorney for Appellant Bundy McDonald, LLC

July 14, 2026

Summerville, South Carolina

RECEIVED

Jul 14 2026

SC Court of Appeals

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July 14, 2026

Via Email (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Bundy McDonald, LLC v. WECO River District, LLC
Appellate Case No. 2025-000905

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter, please find the following:

1. Appellant's Motion to Amend the Final Briefs to Conform to Record on Appeal;
2. Appellant's Amended Final Brief;
3. Appellant's Amended Final Reply Brief; and
4. Proof of Service.

A check in the amount of \$50.00 for the filing fee has been deposited in the mail to your office.

Counsel for Respondent has been served as reflected in the enclosed Proof of Service. If you have any questions or require anything further, please do not hesitate to contact me.

Thank you for your attention to this matter.

Respectfully,

s/W. H. Bundy, Jr.

W. H. Bundy, Jr. (SC Bar No. 1012)

Attorney for Appellant Bundy McDonald, LLC

cc: Henry P. Wall, Esq. (via email)