

**RECEIVED**

**Sep 16 2026**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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APPEAL FROM BEREKLEY COUNTY  
COURT OF COMMON PLEAS  
THE HONORABLE JENNIFER B. McCOY  
CIRCUIT COURT JUDGE

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APPELLATE CASE NO. 2024-002051  
CIVIL ACTION NO. 2019-CP-08-00092

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The Oaks at Riverside South Property Owners Association, Inc.; Colette Alderson;  
Leland Atkins Trust; Bette Atkins Trust; Michael Dorton; Emily Dorton; James  
VanCampen; Celia VanCampen; Janet Fiorenza; Richard Labaudiniere; Lydie  
Labaudiniere; Alley Oak, LLC; Lesene Hudson; and Asbury Hudson,

**PLAINTIFFS,**

Versus

DI Associates, LLC; Carriage Hill Associates of Charleston, LLC; Charleston Landmark  
Builders, LLC; Lesco Restorations, Inc.; Mike Phillips a/k/a Michael A. Phillips d/b/a  
Phillips Masonry Contractors, Inc. a/k/a Mike Phillips Masonry; Benchmark Surveying  
and Construction of Charleston, LLC; SKA Consulting Engineers, Inc.; D&D Home  
Improvements, LLC; Coleman Floor Company, Inc.; Wards Waterproofing, Inc.; and  
John Doe Contractors and Subcontractors 10-20,

**DEFENDANTS,**

Of which The Oaks at Riverside Property Owners Association, Inc., is the

**APPELLANT,**

and

SKA Consulting Engineers, Inc., is the

**RESPONDENT.**

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**MOTION TO COMPEL APPELLANT TO ORDER TRIAL TRANSCRIPT  
AND TO STAY BRIEFING DEADLINES**

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Pursuant to Rules 207(a)(1) and 240 of the South Carolina Appellate Court Rules, Respondent, SKA Consulting Engineers, Inc., moves the Court to order Appellant, The Oaks at Riverside Property Owners Association, Inc., to order and obtain the trial transcript of the proceedings below and to stay all briefing deadlines until the trial transcript is received. In support of this motion, Respondent shows the Court as follows:

On or about December 6, 2024, Appellant ordered the trial transcript for the trial held July 22-26 and 29-31, 2024 and the post-trial hearing transcript held on September 13, 2024. Respondent ordered copies of these transcripts on December 10, 2024. See Ex. A (Transcript Orders). The post-trial hearing transcript held on September 13, 2024 has been received and is not at issue.

The trial transcript has not been fully prepared or received by either Appellant or Respondent. The original court reporter for the trial, Kymberlee Williams, was, to the undersigned's understanding, on medical leave and could not complete the trial transcript. The preparation of the trial transcript was then assigned to Legal Eagle. See Ex. B. (Affidavit of Ganjehsani, ¶ 4.).

On September 8, 2026, the undersigned, Carmen V. Ganjehsani, spoke via telephone to Kevin Dehlinger, the Director of Operations for Legal Eagle, regarding the status of the trial transcript. Id. at ¶ 3. He advised that his office had begun preparing the trial transcript, but in preparing the transcript for day one and day two of the trial, discovered there were around seventy inaudible parts of the transcript and instances of cross-talk. Id. at ¶ 5. Mr. Dehlinger further advised the undersigned that he spoke with Appellant's counsel regarding the issues surrounding day one and day two of the trial

transcript, and Appellant's counsel advised Mr. Dehlinger that Appellant only needed the portions of the transcript regarding the jury charges and the verdict. Id. at ¶ 6.

Mr. Dehlinger informed the undersigned that his office prepared the portions of the transcript regarding the jury charges and the verdict and that those portions of the transcript were clear and audible. Id. at ¶ 7. Because Appellant's counsel advised Mr. Dehlinger that these were the only portions of the trial transcript needed, Legal Eagle did not attempt the transcription of any other day of the eight-day trial other than days one and two. Id. at ¶ 8. Mr. Dehlinger confirmed to the undersigned that his office did have tapes for each day of the trial and could have these tapes transcribed even though portions of the tapes may be inaudible or unclear. Id. at ¶ 9.

Under Rule 207(a)(1), SCACR, "appellant must order a transcript of the entire proceedings below" unless the parties otherwise agree in writing. Respondent has been made aware that Appellant only intends to obtain the transcript of the jury charges and the verdict from the eight-day trial.

Respondent understands that portions of the trial transcript may be missing or unclear. Nevertheless, it is Appellant's obligation under the South Carolina Appellate Court Rules to order and obtain the transcript of the proceedings.<sup>1</sup>

Respondent understands that Appellant's primary argument on appeal is the circuit court's order granting Respondent's motion for setoff. Whether setoff is proper depends on whether funds previously paid by a settling defendant were paid to

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<sup>1</sup> Respondent notes that there is a significant cost difference between the original transcript Appellant is required to order and obtain versus a copy of the prepared transcript. See Rule 607(h)(1)(A), SCACR (providing for a "fee of Four Dollars and Twenty-Five Cents (\$4.25) per page for producing an original transcript") and Rule 607(h)(1)(B) (providing for a "fee of One Dollar (\$1.00) per page for furnishing a copy of a previously prepared transcript").

compensate the same plaintiff on a claim for the same injury. Smith v. Widener, 397 S.C. 468, 471-72, 724 S.E.2d 188, 190 (Ct. App. 2012). This depends on injuries alleged in the pleadings and the evidence presented at trial. The trial transcript is necessary to have a record of the evidence presented to the jury on Appellant's injuries and damages.

Therefore, Respondent requests the Court to compel Appellant to order and obtain from Legal Eagle the entire transcript of the trial proceedings to the extent available from Legal Eagle with the understanding that some portions may be inaudible or unavailable. Respondent also requests the Court to stay all pending briefing deadlines pending a ruling on this motion and pending the receipt of the trial transcript.

Respectfully submitted,

/s Carmen V. Ganjehsani

Benjamin P. Carlton (S.C. Bar No. 101142)  
Carmen V. Ganjehsani (S.C. Bar No. 73515)  
James B. Robey, III (S.C. Bar No. 102452)  
Ashwin R. Sanzgiri (S.C. Bar No. 105198)  
RICHARDSON, PLOWDEN & ROBINSON, PA  
Post Office Drawer 7788  
Columbia, South Carolina 29202  
(803) 771-4400  
[bcarlton@richardsonplowden.com](mailto:bcarlton@richardsonplowden.com)  
[cganjehsani@richardsonplowden.com](mailto:cganjehsani@richardsonplowden.com)  
[jrobey@richardsonplowden.com](mailto:jrobey@richardsonplowden.com)  
[asanzgiri@richardsonplowden.com](mailto:asanzgiri@richardsonplowden.com)

James H. Elliott (S.C. Bar No. 13620)  
Cameron D Berthelsen (S.C. Bar No. 104849)  
Francis E. Grimball (S.C. Bar No. 2310)  
RICHARDSON, PLOWDEN & ROBINSON, PA  
235 Magrath Darby Blvd., Ste. 100  
Mt. Pleasant, SC 29464  
(843) 805-6550  
[jelliott@richardsonplowden.com](mailto:jelliott@richardsonplowden.com)  
[cberthelsen@richardsonplowden.com](mailto:cberthelsen@richardsonplowden.com)  
[frank.grimball@richardsonplowden.com](mailto:frank.grimball@richardsonplowden.com)

**Attorneys For Respondent**  
**SKA Consulting Engineers, Inc.**

September 16, 2026.

# **EXHIBIT “A”**



**COLUMBIA** P.O. Drawer 7788 • Columbia, SC 29202  
1900 Barnwell St., Columbia, SC 29201 **P** 803-771-4400 **F** 803-779-0016

**MYRTLE BEACH** P.O. Box 3646 • Myrtle Beach, SC 29578  
2103 Farlow St., Suite B, Myrtle Beach, SC 29577 **P** 843-448-1008 **F** 843-448-1533

**CHARLESTON** P.O. Box 21203 • Charleston, SC 29413  
235 Magrath Darby Blvd., Mount Pleasant, SC 29464 **P** 843-805-6550 **F** 843-805-6599

[www.RichardsonPlowden.com](http://www.RichardsonPlowden.com)

**REPLY TO: Columbia**

E-Mail: [cganjehsani@richardsonplowden.com](mailto:cganjehsani@richardsonplowden.com)

Direct Dial: (803) 253-8692

December 10, 2024

**RECEIVED**

**Dec 10 2024**

**SC Court of Appeals**

**Via e-mail (kwilliams@sccourts.org)**

Kymberlee Williams  
P.O. Box 8091  
Beaufort, SC 29903

**Re: The Oaks at Riverside v. DI Associates, LLC**  
**Appellate Case No. 2024-002051**  
**Case No. 2019-CP-08-00092**  
**RPR File No.: 000101-03065**

Dear Ms. Williams:

I am writing to request a copy of the trial transcript held before The Honorable Jennifer B. McCoy from July 22-26 and July 29-31, 2024 in the above-referenced case. Mr. McDonald previously ordered the original transcript from you by letter dated December 6, 2024, a copy of which is enclosed.

Please forward your bill along with our copy of the transcript, and we will see that it is promptly paid.

If you need any further information or assistance, please do not hesitate to contact my office.

Sincerely,

/s Carmen V. Ganjehsani

Carmen V. Ganjehsani

Kymberlee Williams

December 10, 2024

Page 2

cc: The Honorable Jenny Abbott Kitchings ([ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org))  
S.C. Court Administration ([transcripts@sccourts.org](mailto:transcripts@sccourts.org))  
W.H. Bundy, Jr. ([walter@bundymcdonald.com](mailto:walter@bundymcdonald.com))  
M. Brent McDonald ([brent@bundymcdonald.com](mailto:brent@bundymcdonald.com))  
James H. Elliott, Jr. ([jelliott@richardsonplowden.com](mailto:jelliott@richardsonplowden.com))  
Cameron D. Berthelsen ([cberthelsen@richardsonplowden.com](mailto:cberthelsen@richardsonplowden.com))  
Francis E. Grimball ([frank.grimball@richardsonplowden.com](mailto:frank.grimball@richardsonplowden.com))  
James Belford Robey, III ([jrobey@richardsonplowden.com](mailto:jrobey@richardsonplowden.com))  
Benjamin P. Carlton ([bcarlton@richardsonplowden.com](mailto:bcarlton@richardsonplowden.com))  
Ashwin R. Sanzgiri ([asanzgiri@richardsonplowden.com](mailto:asanzgiri@richardsonplowden.com))

December 6, 2024

**FORM 11 Letter Ordering Transcript From Court Reporter**

Ms. Kymberlee Williams  
P.O. Box 8091  
Beaufort, SC 29903  
kwilliams@sccourts.org

RE: The Oaks at Riverside South Property Owners Association, Inc. et al. v. SKA  
Consulting Engineers, Inc. Case No. 2019-CP-08-00092

Trial Dates : July 22-26, 2024 and July 29-31, 2024  
County: Berkeley

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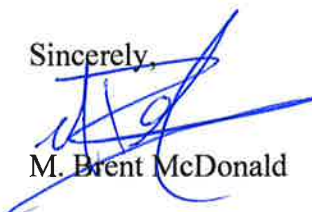
Dear Ms. Williams:

I hope this letter finds you well. The South Carolina Court Administration records indicate that you were the Court Reporter for the above referenced trial before the Honorable Jennifer B. McCoy on July 22-26 and July 29-31, 2024. I request that you provide me a transcript of the proceedings and attach hereto a copy of the executed transcript request form.

I agree to pay the per page charge for this transcript as provided for by Rule 607, SCACR.

I have carbon copied opposing counsel, James Elliott, Esq, SC Court Administration and the South Carolina Court of Appeals on this communication. With kindest regards, I remain

Sincerely,



M. Brent McDonald

cc: James Elliott, Esq.  
Richardson Plowden & Robinson, P.A.  
235 Magrath Darby Blvd, Suite 100  
Mt. Pleasant, SC 29464  
[jelliott@richardsonplowden.com](mailto:jelliott@richardsonplowden.com)

SC Court Administration  
[transcripts@sccourts.org](mailto:transcripts@sccourts.org)

The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Enc. (As noted).



## South Carolina Judicial Branch

### TRANSCRIPT REQUEST FORM

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter/Transcriptionist and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). If WebEx or DCRP were used to capture the record, please indicate below and send the form to [transcripts@sccourts.org](mailto:transcripts@sccourts.org).

| Requestor's Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>Full Name</b><br>M. Brent McDonald                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                          | <b>Law Firm/Agency</b><br>Bundy McDonald, LLC                                                                                                                                                                                                                                                                                                                                                                 | <b>Phone Number</b><br>843-492-0221                                                          |
| <b>Email Address</b><br>brent@bundymcdonald.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                          | <b>Mailing Address</b><br>1516 Old Trolley Road (Second Floor), Summerville, SC 29485                                                                                                                                                                                                                                                                                                                         |                                                                                              |
| <b>Is the requestor a party in the case?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><b>If no, does the requestor represent a party?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of party Plaintiffs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              |
| Transcript Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              |
| <b>Docket Number</b><br>2019-CP-08-00092                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Full Case Caption</b> (i.e. State v. John Doe or John Smith v. Jane Smith)<br>The Oaks at Riverside South Property Owners Association, Inc., et al. V. SKA Consulting Engineers, Inc. |                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Circuit</b> <input checked="" type="checkbox"/><br><b>Family</b> <input type="checkbox"/> |
| <b>Date(s) of Proceeding</b><br>July 22, 2024- July 26, 2024 and<br>July 29, 2024-July 31, 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>County Berkeley</b>                                                                                                                                                                   | <b>Appeal pending</b><br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                  | <b>Death Penalty</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |
| <b>Presiding Judge</b><br>Hon. Jennifer B. McCoy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                          | <b>Special Circumstances</b><br>Is the hearing to be transcribed one of the following:<br><input type="checkbox"/> Termination of parental rights<br><input type="checkbox"/> Adoption<br><input type="checkbox"/> Any actions involving child custody/visitation.                                                                                                                                            |                                                                                              |
| <b>Opposing Counsel(s)</b> (name and email address)<br>James Elliott, Esq.<br>jelliott@richardsonplowden.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              |
| <b>Court Reporter(s)</b><br>Ms. Kymberlee Williams                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> WebEx<br><input type="checkbox"/> DCRP                                                                                                                          | <b>Delivery Timeframe</b><br>(check Rule 607 for current page rates)<br><input type="checkbox"/> Quote<br><input type="checkbox"/> Rough Draft<br><input type="checkbox"/> Overnight delivery<br><input type="checkbox"/> Daily delivery<br><input type="checkbox"/> Expedited delivery (7 days) <b>Due on/before:</b> <input type="text"/><br><input checked="" type="checkbox"/> Regular delivery (60 days) |                                                                                              |
| <b>Portion of proceeding to be transcribed</b><br><input checked="" type="checkbox"/> Entire hearing<br><input type="checkbox"/> Voir dire by juror<br><input type="checkbox"/> Jury selection<br><input type="checkbox"/> Plaintiff's opening statement<br><input type="checkbox"/> Defendant's opening statement<br><input type="checkbox"/> Plaintiff's closing arguments<br><input type="checkbox"/> Defendant's closing arguments<br><input type="checkbox"/> Entire direct examination<br><input type="checkbox"/> Entire cross examination<br><input type="checkbox"/> Entire redirect<br><input type="checkbox"/> Examination of witness (W) by attorney (A)<br>W: <input type="text"/><br>A: <input type="text"/><br><input type="checkbox"/> Ruling of the court |                                                                                                                                                                                          | <b>Delivery Method</b> (additional fees may apply)<br><input checked="" type="checkbox"/> PDF / Email<br><input type="checkbox"/> Hard Copy/Priority Mail (\$50 + shipping)<br><input type="checkbox"/> PDF & Hard Copy/Priority Mail (\$50 + shipping)                                                                                                                                                       |                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                          | <b>Responsible Payor</b><br><input checked="" type="checkbox"/> Private / Self<br><input type="checkbox"/> Court Appointed Counsel<br>Appeals Attorney <input type="text"/><br>Email <input type="text"/><br><input type="checkbox"/> Other <input type="text"/>                                                                                                                                              |                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              |
| <b>Next Hearing Date</b> n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              |

**Requestor's Signature:** M. Brent McDonald

**Date:**

12.6.24

(Typed name will serve as signature)

**NOTE:** Requests will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party, regardless of indigent status. Please promptly submit your payment in the method of payment requested, in order for the transcript to be produced. In some cases, a deposit may be required before the transcript can be placed in the production queue. You may also request a quote before



## South Carolina Judicial Branch

### TRANSCRIPT REQUEST FORM

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deciding to order. *If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.*

If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter or transcriptionist.



**COLUMBIA** P.O. Drawer 7788 • Columbia, SC 29202  
1900 Barnwell St., Columbia, SC 29201 **P** 803-771-4400 **F** 803-779-0016

**MYRTLE BEACH** P.O. Box 3646 • Myrtle Beach, SC 29578  
2103 Farlow St., Suite B, Myrtle Beach, SC 29577 **P** 843-448-1008 **F** 843-448-1533

**CHARLESTON** P.O. Box 21203 • Charleston, SC 29413  
235 Magrath Darby Blvd., Mount Pleasant, SC 29464 **P** 843-805-6550 **F** 843-805-6599

[www.RichardsonPlowden.com](http://www.RichardsonPlowden.com)

**REPLY TO: Columbia**  
E-Mail: [cganjehsani@richardsonplowden.com](mailto:cganjehsani@richardsonplowden.com)  
Direct Dial: (803) 253-8692

December 10, 2024

**RECEIVED**  
**Dec 10 2024**  
**SC Court of Appeals**

**Via e-mail (transcripts@sccourts.org)**

South Carolina Court Administration  
1220 Senate Street, Suite 200  
Columbia, SC 29201

**Re: The Oaks at Riverside v. DI Associates, LLC**  
**Appellate Case No. 2024-002051**  
**Case No. 2019-CP-08-00092**  
**RPR File No.: 000101-03065**

Dear To Whom It May Concern:

I am writing to request a copy of the hearing transcript held before The Honorable Jennifer B. McCoy from on September 13, 2024 which was heard via WebEx in the above-referenced case. Mr. McDonald previously ordered the original transcript by letter dated December 6, 2024, a copy of which is enclosed.

Please forward your bill along with our copy of the transcript, and we will see that it is promptly paid.

If you need any further information or assistance, please do not hesitate to contact my office.

Sincerely,

/s Carmen V. Ganjehsani

Carmen V. Ganjehsani

cc: The Honorable Jenny Abbott Kitchings ([ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org))  
W.H. Bundy, Jr. ([walter@bundymcdonald.com](mailto:walter@bundymcdonald.com))  
M. Brent McDonald ([brent@bundymcdonald.com](mailto:brent@bundymcdonald.com))  
James H. Elliott, Jr. ([jelliott@richardsonplowden.com](mailto:jelliott@richardsonplowden.com))  
Cameron D. Berthelsen ([cberthelsen@richardsonplowden.com](mailto:cberthelsen@richardsonplowden.com))  
Francis E. Grimball ([frank.grimball@richardsonplowden.com](mailto:frank.grimball@richardsonplowden.com))  
James Belford Robey, III ([jrobey@richardsonplowden.com](mailto:jrobey@richardsonplowden.com))  
Benjamin P. Carlton ([bcarlton@richardsonplowden.com](mailto:bcarlton@richardsonplowden.com))  
Ashwin R. Sanzgiri ([asanzgiri@richardsonplowden.com](mailto:asanzgiri@richardsonplowden.com))

December 6, 2024

**Letter Ordering Transcript From WEB-EX**

South Carolina Court Administration  
1220 Senate Street, Suite 200  
Columbia, SC 29201  
[transcripts@sccourts.org](mailto:transcripts@sccourts.org)

RE: The Oaks at Riverside South Property Owners Association, Inc. et al. v. SKA  
Consulting Engineers, Inc. Case No. 2019-CP-08-00092

Hearing Date: September 13, 2024  
County: Berkeley  
Judge: Honorable Jennifer B. McCoy

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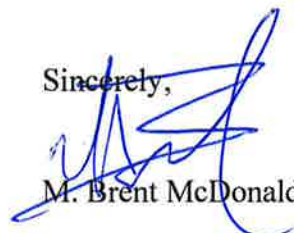
To Whom It May Concern:

I hope this letter finds you well. A hearing was held in the above referenced case before the Honorable Jennifer B. McCoy on September 13, 2024 **VIA WEB-EX**. I request that you provide me a transcript of the proceedings and attach hereto a copy of the executed transcript request form.

I agree to pay the per page charge for this transcript as provided for by Rule 607, SCACR.

I have carbon copied opposing counsel, James Elliott, Esq and the South Carolina Court of Appeals on this communication. With kindest regards, I remain

Sincerely,



M. Brent McDonald

cc: James Elliott, Esq.  
Richardson Plowden & Robinson, P.A.  
235 Magrath Darby Blvd, Suite 100  
Mt. Pleasant, SC 29464  
[jelliott@richardsonplowden.com](mailto:jelliott@richardsonplowden.com)

The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Enc. (As noted).



# South Carolina Judicial Branch

## TRANSCRIPT REQUEST FORM

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter/Transcriptionist and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). If WebEx or DCRP were used to capture the record, please indicate below and send the form to [transcripts@sccourts.org](mailto:transcripts@sccourts.org).

| Requestor's Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>Full Name</b><br>M. Brent McDonald                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                          | <b>Law Firm/Agency</b><br>Bundy McDonald, LLC                                                                                                                                                                                                                                                                                                                                                          | <b>Phone Number</b><br>843-492-0221                                                          |
| <b>Email Address</b><br>brent@bundymcdonald.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                          | <b>Mailing Address</b><br>1516 Old Trolley Road (Second Floor), Summerville, SC 29485                                                                                                                                                                                                                                                                                                                  |                                                                                              |
| <b>Is the requestor a party in the case?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><b>If no, does the requestor represent a party?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of party Plaintiffs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              |
| Transcript Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              |
| <b>Docket Number</b><br>2019-CP-08-00092                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Full Case Caption</b> (i.e. State v. John Doe or John Smith v. Jane Smith)<br>The Oaks at Riverside South Property Owners Association, Inc., et al. V. SKA Consulting Engineers, Inc. |                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Circuit</b> <input checked="" type="checkbox"/><br><b>Family</b> <input type="checkbox"/> |
| <b>Date(s) of Proceeding</b><br>September 13, 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>County Berkeley</b>                                                                                                                                                                   | <b>Appeal pending</b><br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                           | <b>Death Penalty</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |
| <b>Presiding Judge</b><br>Hon. Jennifer B. McCoy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                          | <b>Special Circumstances</b><br>Is the hearing to be transcribed one of the following:<br><input type="checkbox"/> Termination of parental rights<br><input type="checkbox"/> Adoption<br><input type="checkbox"/> Any actions involving child custody/visitation.                                                                                                                                     |                                                                                              |
| <b>Opposing Counsel(s)</b> (name and email address)<br>James Elliott, Esq.<br>jelliott@richardsonplowden.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              |
| <b>Court Reporter(s)</b><br>WEB-EX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input checked="" type="checkbox"/> WebEx<br><input type="checkbox"/> DCRP                                                                                                               | <b>Delivery Timeframe</b><br>(check Rule 607 for current page rates)<br><input type="checkbox"/> Quote<br><input type="checkbox"/> Rough Draft<br><input type="checkbox"/> Overnight delivery<br><input type="checkbox"/> Daily delivery<br><input type="checkbox"/> Expedited delivery (7 days) Due on/before: <input type="text"/><br><input checked="" type="checkbox"/> Regular delivery (60 days) |                                                                                              |
| <b>Portion of proceeding to be transcribed</b><br><input checked="" type="checkbox"/> Entire hearing<br><input type="checkbox"/> Voir dire by juror<br><input type="checkbox"/> Jury selection<br><input type="checkbox"/> Plaintiff's opening statement<br><input type="checkbox"/> Defendant's opening statement<br><input type="checkbox"/> Plaintiff's closing arguments<br><input type="checkbox"/> Defendant's closing arguments<br><input type="checkbox"/> Entire direct examination<br><input type="checkbox"/> Entire cross examination<br><input type="checkbox"/> Entire redirect<br><input type="checkbox"/> Examination of witness (W) by attorney (A)<br>W: <input type="text"/><br>A: <input type="text"/><br><input type="checkbox"/> Ruling of the court |                                                                                                                                                                                          | <b>Delivery Method</b> (additional fees may apply)<br><input checked="" type="checkbox"/> PDF / Email<br><input type="checkbox"/> Hard Copy/Priority Mail (\$50 + shipping)<br><input type="checkbox"/> PDF & Hard Copy/Priority Mail (\$50 + shipping)                                                                                                                                                |                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                          | <b>Responsible Payor</b><br><input checked="" type="checkbox"/> Private / Self<br><input type="checkbox"/> Court Appointed Counsel<br>Appeals Attorney <input type="text"/><br>Email <input type="text"/><br><input type="checkbox"/> Other <input type="text"/>                                                                                                                                       |                                                                                              |
| <b>Next Hearing Date</b> n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              |

**Requestor's Signature:** M. Brent McDonald

**Date:**

12.6.24

(Typed name will serve as signature)

**NOTE:** Requests will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party, regardless of indigent status. Please promptly submit your payment in the method of payment requested, in order for the transcript to be produced. In some cases, a deposit may be required before the transcript can be placed in the production queue. You may also request a quote before deciding to order. *If you need to cancel the transcript request for any reason, you are responsible for paying for the*



## South Carolina Judicial Branch

### TRANSCRIPT REQUEST FORM

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*pages of the transcript that have already been completed at the time of the cancellation.*

If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter or transcriptionist.

# **EXHIBIT “B”**

STATE OF SOUTH CAROLINA

The Oaks at Riverside Property Owners  
Association, Inc.,

Appellant,

vs.

SKA Consulting Engineers, Inc.,

Respondent.

) SOUTH CAROLINA  
) COURT OF APPEALS

) APPELLATE CASE NO. 2024-002051

) **Affidavit of**  
) **Carmen V. Ganjehsani**

---

I, Carmen V. Ganjehsani, being duly sworn and deposed state as follows:

1. I am over the age of 18 and am fully competent to make this affidavit.
2. I am an attorney with the law firm of Richardson Plowden & Robinson, P.A.
3. On September 8, 2026, I spoke to Kevin Dehlinger, the Director of Operations for Legal Eagle, during a telephone call regarding the status of the transcript for the trial held July 22-26 and 29-31, 2024 in the above-referenced case.
4. Mr. Dehlinger advised me that Legal Eagle had been retained to prepare the trial transcript after the court reporter from the trial was unable to complete it and that Legal Eagle had the tapes for each day of trial.
5. Mr. Dehlinger further advised me that his office began preparing the trial transcript, but in preparing the transcript for day one and day two of the trial, discovered there were around seventy inaudible parts of transcript and instances of cross-talk.
6. Mr. Dehlinger further advised me that his office contacted Appellant's counsel to inform them regarding the issues surrounding day one and day two of the trial transcript, and Appellant's counsel advised Mr. Dehlinger that they only needed the portions of the transcript regarding the jury charges and the verdict.
7. Mr. Dehlinger informed me that his office prepared the portions of the transcript

regarding the jury charges and the verdict and that those portions of the transcript were clear and audible.

8. Mr. Dehlinger further informed me that his office did not attempt the transcription of any other day of the eight-day trial because Appellant's counsel only needed the portions of the transcript regarding the jury charges and the verdict.

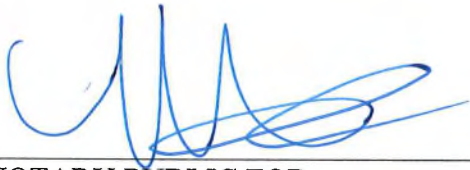
9. Mr. Dehlinger confirmed to me that his office did have tapes for each day of the trial and could have these tapes transcribed even though portions of the tapes may be inaudible or unclear.

FURTHER, AFFIANT SAYETH NOT.



Carmen V. Ganjehsani  
Richardson, Plowden & Robinson, P.A.

SWORN TO BEFORE ME THIS 16<sup>th</sup>  
DAY OF September, 2026.



NOTARY PUBLIC FOR  
SOUTH CAROLINA

COMMISSION EXPIRES:



**CERTIFICATE OF SERVICE**

I, the undersigned, attorney for Respondent, SKA Consulting Engineers, Inc., do hereby certify that I have this date served the foregoing MOTION TO COMPEL APPELLANT TO ORDER TRIAL TRANSCRIPT AND TO STAY BRIEFING DEADLINES, dated September 16, 2026, by personally serving the same pursuant to Section (d)(1) of the Supreme Court's Amended Order dated April 24, 2024, on the following counsel of record using the primary email addresses listed in the Attorney Information System (if applicable):

Walter Henry Bundy, Jr.  
1516 Old Trolley Rd  
2Nd Floor  
Summerville SC 29485  
[walter@bundymcdonald.com](mailto:walter@bundymcdonald.com)  
**Attorney for Appellant**  
**The Oaks at Riverside**  
**Property Owners Association, Inc.**

**RECEIVED**  
**Sep 16 2026**  
**SC Court of Appeals**

A copy of the sent email is enclosed with this Certificate of Service.

/s Carmen V. Ganjehsani  
Carmen V. Ganjehsani  
S.C. Bar No. 73515  
RICHARDSON, PLOWDEN & ROBINSON, PA  
Post Office Drawer 7788  
Columbia, South Carolina 29202  
(803) 771-4400  
**Attorneys For Respondent**  
**SKA Consulting Engineers, Inc.**

Date: September 16, 2026.

**From:** [Carmen Ganjehsani](#)  
**To:** ["walter@bundymcdonald.com"](#); ["jesse@jessesanchezlaw.com"](#)  
**Cc:** [James Elliott](#); [Cameron Berthelsen](#); [James Robey](#); [Ben Carlton](#); [Ashwin Sanzgiri](#); [Frank Grimball](#)  
**Subject:** 2024-002051 The Oaks at Riverside v. DI Associates  
**Date:** Wednesday, September 16, 2026 12:34:00 PM  
**Attachments:** [2024-002051 Oaks at Riverside v. SKA Consulting \(Mtn to Compel re Transcript\) \(4329558\).pdf](#)

---

Please find served upon you the Motion to Compel Appellant to Order Trial Transcript and to Stay Briefing Deadlines on behalf of Respondent SKA Consulting Engineers, Inc.

Thank you,  
Carmen Ganjehsani

| <a href="#">HOME</a>                                                              | <a href="#">VCARD</a>                                                                                                                                                                                                  | <a href="#">LOCATION</a> |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|  | <b>Carmen V. Ganjehsani</b><br>Shareholder<br><a href="mailto:Cganjehsani@RichardsonPlowden.com">Cganjehsani@RichardsonPlowden.com</a>                                                                                 |                          |
|                                                                                   | <b>Richardson Plowden &amp; Robinson,<br/>P.A.</b><br>1900 Barnwell Street<br>Columbia, SC 29201<br>Tel: 803.253.8692<br>Fax: 803.779.0016<br><a href="http://www.RichardsonPlowden.com">www.RichardsonPlowden.com</a> |                          |

**RECEIVED**  
**Sep 16 2026**  
**SC Court of Appeals**

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**CHARLESTON** P.O. Box 21203 • Charleston, SC 29413  
235 Magrath Darby Blvd., Mount Pleasant, SC 29464 P 843-805-6550 F 843-805-6599

[www.RichardsonPlowden.com](http://www.RichardsonPlowden.com)

**REPLY TO: Columbia**  
E-Mail: [cganjehsani@richardsonplowden.com](mailto:cganjehsani@richardsonplowden.com)  
Direct Dial: (803) 253-8692

September 16, 2026

**Filed via e-mail (ctappfilings@sccourts.org) and hand delivery**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, S.C. Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
**Sep 16 2026**  
**SC Court of Appeals**

**Re: The Oaks at Riverside v. DI Associates, LLC**  
**Appellate Case No. 2024-002051**  
**RPR File No.: 000101-03065**

Dear Ms. Kitchings:

Enclosed for filing is the Motion to Compel Appellant to Order Trial Transcript and to Stay Briefing Deadlines on behalf of Respondent SKA Consulting Engineers, Inc. in the above-referenced case, along with our Certificate of Service. We are also filing this Motion electronically with the Court of Appeals via e-mail at [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org) pursuant to Section (b)(2) of the Supreme Court's April 24, 2024 Order.

Also enclosed is our firm's check in the amount of \$50.00 for the filing fee in this matter.

We have served this Motion on counsel of record upon their primary email addresses listed in the Attorney Information System.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

/s Carmen V. Ganjehsani

Carmen V. Ganjehsani

Encs.

The Honorable Jenny Abbott Kitchings

September 16, 2026

Page 2

cc: W.H. Bundy, Jr. ([walter@bundymcdonald.com](mailto:walter@bundymcdonald.com))  
James H. Elliott, Jr. ([jelliott@richardsonplowden.com](mailto:jelliott@richardsonplowden.com))  
Cameron D. Berthelsen ([cberthelsen@richardsonplowden.com](mailto:cberthelsen@richardsonplowden.com))  
Francis E. Grimball ([frank.grimball@richardsonplowden.com](mailto:frank.grimball@richardsonplowden.com))  
James Belford Robey, III ([jrobey@richardsonplowden.com](mailto:jrobey@richardsonplowden.com))  
Benjamin P. Carlton ([bcarlton@richardsonplowden.com](mailto:bcarlton@richardsonplowden.com))  
Ashwin R. Sanzgiri ([asanzgiri@richardsonplowden.com](mailto:asanzgiri@richardsonplowden.com))