

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Case No.: 2012-CP-10-03870

RECEIVED
FEB 19 2014
SC Court of Appeals

Peter T. Phillips and Summar C. Phillips Respondents,

v.

Omega Flex, Inc., John Wieland homes and Neighborhoods of the Carolinas, Inc., AAA
Plumbing, Fogel Services, Inc., Charleston LEC, Inc., Defendants,

Of whom John Wieland Homes and Neighborhoods of the Carolinas, Inc., is the ... Appellant,

And Omega Flex, Inc., AAA Plumbing, Fogel Services, Inc., Charleston LEC, Inc.,
are..... Respondents.


**DESIGNATION OF ADDITIONAL MATTER TO BE INCLUDED IN THE RECORD
ON APPEAL BY RESPONDENTS PETER T. PHILLIPS AND SUMMAR C. PHILLIPS**

Pursuant to Rule 209, SCACR, Respondent Peter T. Phillips and Summar C. Phillips
designates the following items for inclusion in the Record on Appeal in addition to those
designated by Appellant:

1. Plaintiff's Memorandum of Law in Opposition to Defendant John Wieland Homes and Neighborhoods of the Carolinas, Inc.'s Motion to Compel Arbitration;
2. John Wieland Homes and Neighborhoods of the Carolinas, Inc. Purchase Agreement;
3. Real Estate Contract Addendum;
4. Addendum One;

5. Design Selection Checklist; and
6. John Wieland Homes and Neighborhoods The Wieland 5-20 Extended Warranty.

McDONALD, McKENZIE, RUBIN,
MILLER AND LYBRAND, L.L.P.
1704 Main Street
Post Office Box 58
Columbia, South Carolina 29202
(803) 252-0500

BY: 
ROBERT A. McKENZIE
AMANDA N. PITTMAN
JOHN F. McKENZIE
ATTORNEYS FOR PETER T. PHILLIPS
AND SUMMAR C. PHILLIPS

Columbia, South Carolina
February 17, 2014

RECEIVED

FEB 19 2014

CERTIFICATE OF SERVICE BY MAIL

SC Court of Appeals

I hereby certify that a copy of the Initial Brief of Respondents Peter T. Phillips and Summary

C. Phillips and the Designation of Additional Matter to be Included in the Record on Appeal were served upon the attorneys listed below by depositing said paper(s) in the United States Mail, Columbia, South Carolina, on the 17th day of February, 2014, with the first class postage duly affixed and a return address clearly indicated on the envelope, addressed as follows:

Mr. Jeffrey A. Ross
CLAWSON & STAUBES, LLC
126 Seven Farms Dr., Ste. 200
Charleston, SC 29492

Mr. Robert H. Hood
Mr. Robert H. Hood, Jr.
Mr. A. Walker Barnes
HOOD LAW FIRM, LLC
PO Box 1508
Charleston, SC 29402-1508

Mr. Everette A. Kendall, II
Mr. J. Eric Cavanaugh
SWEENEY, WINGATE & BARROW, P.A.
1515 Lady Street
Post Office Box 12129
Columbia, South Carolina 29211

Mr. Christopher M. Ramsey
Mr. R. Patrick Flynn
ROBERTSON, HOLLINGSWORTH
AND FLYNN
Wells Fargo Center
177 Meeting Street, Ste 300
Charleston, South Carolina 29401

Mr. John P. Linton, Jr.
Mr. G. Trenholm Walker
PRATT-THOMAS WALKER, P.A.
Post Office Drawer 22247
Charleston, South Carolina 29403-2247


AMANDA N. PITTMAN

RE: Appellate Case Number: 2013-001449

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Charleston County
Court of Common Pleas
J.C. Nicholson, Jr., Circuit Court Judge

Civil Action No. 2012-CP-10-03870
Appellate Case No. 2013-001449

Peter T. Phillips and Summar C. Phillips,

Respondents,

v.

Omega Flex, Inc., John Wieland Homes and Neighborhoods of the Carolinas, Inc.,
AAA Plumbing, Fogel Services, Inc., Charleston LEC, Inc., Defendants,

Of whom John Wieland Homes and Neighborhoods of the Carolinas, Inc. is the

Appellant,

And Omega Flex, Inc., AAA Plumbing, Fogel Services, Inc.,
Charleston LEC, Inc., are the


Respondents.

**CERTIFICATE OF SERVICE FOR
DESIGNATION OF ADDITIONAL MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL
BY RESPONDENT OMEGA FLEX, INC.**

RECEIVED

MAR 06 2014

SC Court of Appeals



Hood Law Firm, LLC
Robert H. Hood, Jr. (SC #13491)
A. Walker Barnes (SC #78485)
Deborah H. Sheffield, *Of Counsel* (SC #2757)
172 Meeting Street ~ P.O. Box 1508
Charleston, South Carolina 29402
Phone: (843) 577-4435 / Facsimile: (843) 722-1630
Attorneys for Respondent Omega Flex, Inc.

Certificate of Service

I certify that on this 12th day of February 2014, a copy of the foregoing Designation of Additional Matter to be Included in the Record on Appeal by Respondent Omega Flex, Inc. was served on all Parties by depositing said copy in the U.S. Mail, with sufficient first class postage, addressed to their Counsel of Record of as listed below:

John Francis McKenzie
Robert A. McKenzie
Amanda Nicole Pittman
P.O. Box 58
Columbia, SC 29202-0058
***Attorneys for the Respondents
Peter and Summar Phillips***

Everett Augustus Kendall, II
James Eric Cavanaugh
P.O. Box 12129
Columbia, SC 29211
***Attorneys for Respondent Fogel
Services***

R. Patrick Flynn
Christopher Michael Ramsey
177 Meeting St., Suite 300
Charleston, SC 29401
***Attorneys for Respondent Charleston
LEC***

Jeffrey Alan Ross
126 Seven Farms Dr., Suite 200
Charleston, SC 29492
***Attorney for Respondent AAA
Plumbing***

George Trenholm Walker
John Phillips Linton, Jr.
P. O. Drawer 22247
Charleston, SC 29413
Attorneys for Appellant

RECEIVED

MAR 06 2014

SC Court of Appeals

McDONALD, McKENZIE, RUBIN, MILLER AND LYBRAND, L.L.P.

ATTORNEYS AT LAW

ROBERT A. McKENZIE
HYMAN S. RUBIN, JR.
BEN N. MILLER III
JAMES B. LYBRAND, JR.†
RONALD E. ALEXANDER
KEVIN T. BROWN
JOHN F. McKENZIE*
AMANDA N. PITTMAN

POST OFFICE BOX 58
COLUMBIA, SOUTH CAROLINA 29202

2ND FLOOR, 1704 MAIN STREET
COLUMBIA, SOUTH CAROLINA 29201

www.mmrml.com

HEYWARD E. McDONALD
1925-2000

TELEPHONE (803) 252-0500
FAX (803) 252-6705

†CERTIFIED MEDIATOR AND ARBITRATOR
*ALSO ADMITTED IN TEXAS

February 17, 2014

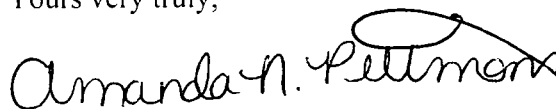
Jenny Abbott Kitchings
South Carolina Court of Appeals
Clerk of Court
1015 Sumter Street
Columbia, South Carolina 29201

RE: Peter T. Phillips and Summar C. Phillips v. Omega Flex, Inc, John Wieland Homes and
Neighborhoods of the Carolinas, Inc., AAA Plumbing, LLC., Fogel Services, Inc.,
Charleston LEC, Inc.
Appellate Case Number: 2013-001449
Trial Court Case Number: 2012-CP-10-03870

Dear Ms. Kitchings:

Enclosed please find the Initial Brief of Respondents Peter T. Phillips and Summar C. Phillips
and the Designation of Additional Matter to be Included in the Record on Appeal. Also enclosed is a
Certificate of Service indicating that each attorney of record was sent a copy of each of these documents.

Yours very truly,



Amanda N. Pittman

cc: R. Patrick Flynn, Esquire
Christopher M. Ramsey, Esquire
Jeffrey A. Ross, Esquire
Robert H. Hood, Esquire
Robert H. Hood, Jr., Esquire
A. Walker Barnes, Esquire
Everett A. Kendall, II, Esquire
J. Eric Cavanaugh, Esquire
John P. Linton, Jr., Esquire
G. Trenholm Walker, Esquire

RECEIVED
FEB 19 2014
SC COURT OF APPEALS