

March 11, 2014

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MAR 13 2014

SC Court of Appeals

Crystal M. Holmes  
Court Reporter  
Post Office Box 611  
Columbia, SC 29202

RE: Robert S. Jones v. Builders Investment Group, LLC, Brian D. Boone and Arden Homebuilders, LLC.  
Appellate Case No. 2013-002673  
Civil Action No.: 2011-CP-40-1980  
Our File No.: 6354/1500

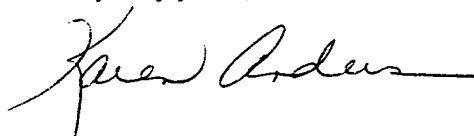
Dear Crystal:

By email dated March 6, 2013 and by letter dated March 7, 2013, we requested those portions of the transcript of the jury trial held before Judge Manning December 10 – December 12, 2012 in the above-referenced matter containing any testimony of Robert S. Jones, Robert Keisler, and Justin Strickland. See **Attachment A**. On July 13, 2013, you forwarded me transcript portions with pages numbered 1-99. See INDEX, **Attachment B**. This case was appealed on December 6, 2013. In reviewing Kathleen McDaniel's December 16, 2013 correspondence to you, it appears that the trial transcript is 265 pages long and the index shows testimony of Robert S. Jones beginning at page 42; Robert Keisler, beginning at page 83, and Justin Strickland, beginning at page 170. **Attachment C**. Clearly, the INDEX, and page numbers specifically, attached at C differs from that attached at B.

By email on January 3, 2014, I requested that you provide me with the previously requested portions of the testimony with the correct page numbers in order that we can correctly cite to the correct transcript pages as necessary in appellate filings. See **Attachment D**. I have had no response to my January 3, 2014 email and would ask at this time that you provide me with the previously requested portions of the transcript with the correct page numbers.

Do not hesitate to call or email me should you have any questions.

Very truly yours,



Karen S. Anders  
Litigation Paralegal

Attachments

cc: Jenny Abbott Kitchings, Clerk, South Carolina Court of Appeals  
Rosalyn W. Frierson, South Carolina Court Administration  
Kathleen McDaniel, Esquire  
Thornwell F. Sowell, Esquire (via email)  
David C. Dick (via email)

# **ATTACHMENT A**

## Anders, Karen S.

---

**From:** Anders, Karen S.  
**Sent:** Wednesday, March 06, 2013 1:29 PM  
**To:** 'cholmes@sccourts.org'  
**Cc:** Dick, David C.  
**Subject:** Robert S. Jones v. Builders Investment Group, LLC et al. (Civil Action No. 2012-CP-40-1980)  
Crystal,

This Firm, and specifically Thornwell F. "Biff" Sowell and David C. Dick, represent Defendants Builders Investment Group, LLC and Brian D. Boone, in the above-referenced matter. You were the Court Reporter for the jury trial which took place December 10, 2012 - December 12, 2012 in Richland County before Judge Manning.

Please accept this email as our formal order for **only the portions of the trial transcript that include the testimony of Robert S. Jones, Robert Keisler, and Justin Strickland.** If you require prepayment or need anything further in this regard, please let me know.

I would appreciate your confirming receipt and acceptance of this order and advising when we might expect same. Thank you for your attention to this matter. Karen



Karen S. Anders v-card  
Paralegal

803 231.7815  
[www.sowellgray.com](http://www.sowellgray.com)



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March 7, 2013

Crystal M. Holmes  
Court Reporter  
Post Office Box 611  
Columbia, SC 29202

RE: Robert S. Jones v. Builders Investment Group, LLC, Brian D. Boone and Arden  
Homebuilders, LLC.  
Civil Action No.: 2011-CP-40-1980  
Our File No.: 6354/1500

Dear Crystal:

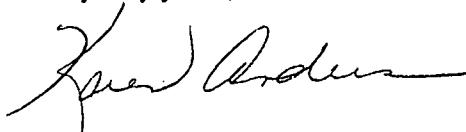
This letter follows my email request dated March 6, 2013 (attached hereto) relevant to the jury trial held in the above-referenced matter before Judge Manning, December 10, 2012 – December 12, 2012.

Please let this serve as our formal request for a copy of **only those portions of the trial transcript which contain any testimony of Robert S. Jones, Robert Keisler, and Justin Strickland.**

I would appreciate your confirming receipt of this request by signing the additional copy of this letter enclosed herein and returning in the self-addressed, stamped envelope also enclosed.

Do not hesitate to call or email me should you have any questions.

Very truly yours,



Karen S. Anders  
Litigation Paralegal  
Attachment

cc: South Carolina Court Administration

March 7, 2013

Crystal M. Holmes  
Court Reporter  
Post Office Box 611  
Columbia, SC 29202

RE: Robert S. Jones v. Builders Investment Group, LLC, Brian D. Boone and Arden  
Homebuilders, LLC.  
Civil Action No.: 2011-CP-40-1980  
Our File No.: 6354/1500

Dear Crystal:

This letter follows my email request dated March 6, 2013 (attached hereto) relevant to the jury trial held in the above-referenced matter before Judge Manning, December 10, 2012 – December 12, 2012.

Please let this serve as our formal request for a copy of **only those portions of the trial transcript which contain any testimony of Robert S. Jones, Robert Keisler, and Justin Strickland.**

I would appreciate your confirming receipt of this request by signing the additional copy of this letter enclosed herein and returning in the self-addressed, stamped envelope also enclosed.

Do not hesitate to call or email me should you have any questions.

Very truly yours,



Karen S. Anders  
Litigation Paralegal  
Attachment

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# **ATTACHMENT B**

1 STATE OF SOUTH CAROLINA ) IN COMMON PLEAS  
 2 COUNTY OF RICHLAND ) COURT  
 3 )  
 4 ROBERT S. JONES, )  
 5 ) TRANSCRIPT  
 6 -V- ) OF  
 7 ) RECORD  
 8 BUILDERS INVESTMENT GROUP, LLC, )  
 9 ET AL., ) 2011-CP-40-01980  
 10 DEFENDANT. )

11  
 12 DECEMBER 10, 11 AND 12, 2012  
 13 RICHLAND, SOUTH CAROLINA

14  
 15 B-E-F-O-R-E:  
 16 HONORABLE CASEY L. MANNING, JUDGE; AND JURY

17  
 18 A-P-P-E-A-R-A-N-C-E-S:  
 19 FOR THE PLAINTIFF:  
 20 D. REECE WILLIAMS, ESQ.

21  
 22 FOR THE DEFENDANT:  
 23 THORNWELL SOWELL, III, ESQ.  
 24 DAVID C. DICK, JR., ESQ.

25

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# **ATTACHMENT C**

# ATTACHMENT C

Kathleen McDaniel - Attorney  
Ph: 803-404-6900  
Fax: 803-404-6901  
[kathleenmcdaniel@callisontighe.com](mailto:kathleenmcdaniel@callisontighe.com)

December 16, 2013

Crystal M. Holmes  
Court Reporter for Judge L. Casey Manning  
P.O. Box 611  
Columbia, South Carolina 29202

**Re: *Robert S. Jones v. Builders Investment Group, LLC, Brian D. Boone and Arden Homebuilders, LLC***  
**Case No: 2011-CP-40-01980**  
**Our File No: 5262.002**

Dear Ms. Holmes:

My records indicate that you were the court reporter for the following proceedings in this case:

1. Trial before the Honorable L. Casey Manning on December 10-12, 2012;
2. Hearing on Defendants BIG and Boone's Motion for Judgment Notwithstanding the Verdict on April 11, 2013; and
3. Hearing on Plaintiff's Motion to Alter or Amend on October 17, 2013.

Please provide me with full and accurate transcripts of the hearings before Judge Manning on April 11, 2013, and October 17, 2013.

I previously requested a copy of the trial transcript on April 23, 2013. On or before July 9, 2013, you provided me with a trial transcript that is 265 pages long. I have enclosed the first four pages and last three pages of the trial transcript that I received from you. Please review and confirm for me that you have already provided to me a full and accurate transcript of the trial on December 10-12, 2012. If there have been any changes to the trial transcript, please provide me with a full and accurate copy of the trial transcript in its most current form.

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

Feel free to call me with any questions.

Crystal Holmes  
December 16, 2013  
Page 2

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC

A handwritten signature in black ink, appearing to read 'Kathleen McDaniel', written over the printed name.

Kathleen McDaniel

encls.

cc: Rosalyn W. Frierson, S.C. Court Administration  
David C. Dick, Esq.  
✓ Thornwell F. Sowell, III, Esq.  
Mr. Robert Keisler  
Jenny Abbott Kitchings, Clerk of the S.C. Court of Appeals

1 STATE OF SOUTH CAROLINA ) IN COMMON PLEAS  
 2 COUNTY OF RICHLAND ) COURT  
 3 )  
 4 ROBERT S. JONES, )  
 5 ) ) TRANSCRIPT  
 6 -V- ) OF  
 7 ) RECORD  
 8 BUILDERS INVESTMENT GROUP, LLC, )  
 9 ET AL., ) 2011-CP-40-01980  
 10 DEFENDANT. )

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DECEMBER 10, 11 AND 12, 2012  
 RICHLAND, SOUTH CAROLINA

B-E-F-O-R-E:  
 HONORABLE CASEY L. MANNING, JUDGE; AND JURY

A-P-P-E-A-R-A-N-C-E-S:  
 FOR THE PLAINTIFF:  
 D. REECE WILLIAMS, ESQ.  
 FOR THE DEFENDANT:  
 THORNWELL SOWELL, III, ESQ.  
 DAVID C. DICK, JR., ESQ.

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12	RECROSS BY MR. SOWELL	81
13	ROBERT KESSLER:	
14	DIRECT BY MR. WILLIAMS	83
15	CROSS BY MR. DICK	96
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21	2. FOREMAN NAME.	
22	3. DEFENDANT'S DIRECTED VERDICT.	
23		
24		
25		

1 jury?

2 MR. SOWELL: No.

3 THE COURT: You need to go to the jury room for a  
4 few moments. They'll give you instructions. Thank you all  
5 so very much and good luck to each and every one of you.  
6 Happy holidays.

7 (The jury retires from the  
8 courtroom at 1:32 p.m.)

9 THE COURT: So, I'll give you at least ten days.  
10 There's a whole lot of things to sort through. Take your  
11 time. I'll copy Mr. Williams and then I'll set a date for  
12 us to flesh all this out. Thank you all so very much.

13 MR. SOWELL: Thank you.

14 THE COURT: Yes, sir.

15 MR. SOWELL: Judge, at that time, could we also  
16 consider having an attorney's fee hearing?

17 THE COURT: I'm going to hear everything that I  
18 need to hear.

19 MR. SOWELL: Thank you, Judge.

20 THE COURT: Will be all-inclusive. Give him a  
21 chance to sort through everything, you sort through  
22 everything.

23 MR. SOWELL: Yes, sir.

24 THE COURT: Exchange your arguments with  
25 Mr. Williams, and we'll set a time that's convenient for

1 everybody.

2 MR. SOWELL: Thank you.

3 THE COURT: And we'll go through agency and do  
4 everything we need to do. Thank you all so very much.

5 MR. SOWELL: Thank you.

6 END OF PROCEEDINGS

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1 COUNTY OF RICHLAND )

2 CERTIFICATE OF REPORTER

3 I, Crystal Holmes, hereby certify that I reported  
4 the preceding case entitled Robert S. Jones Vs. Builders  
5 Investment Group, LLC., et al Case Number, 2011-CP-40-01980,  
6 at the Richland County Courthouse, December 10, 2012.

7 I FURTHER CERTIFY that the foregoing pages 1  
8 through 265 constitute a true, accurate and full transcript  
9 of said hearing.

10 I FURTHER CERTIFY that I am not employed by any of  
11 the parties hereto and I have no financial interest in the  
12 outcome of said case.

13 IN WITNESS WHEREOF, I have heretofore set my hand  
14 and seal at Richland County on this 10th day of April, 2012.

15 \_\_\_\_\_  
16 Crystal Holmes, Court Reporter  
17 and Notary Public for the  
18 State of South Carolina my  
Commission Expires:  
April 21 2014

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# **ATTACHMENT D**

**Anders, Karen S.**

---

**From:** Anders, Karen S.  
**Sent:** Friday, January 03, 2014 5:40 PM  
**To:** 'Holmes, Crystal'  
**Cc:** Sowell, Biff; 'David Dick'; Carmichael, Dara  
**Subject:** Civil Action No. 2011-CP-40-1980  
**Attachments:** 6354-1500 Portions of Transcript of December 10-12, 2012 trial (A0579118xA08D7).PDF

Dear Crystal,

This matter was tried before a jury and Judge Manning on December 10, 2012 - December 12, 2012. By letter dated March 7, 2013, we requested those portions of the trial transcript containing any testimony of Robert S. Jones, Robert Keisler, and Justin Strickland. On July 13, 2013, you forwarded me transcript with pages numbered 1-99 (**see attached**). In reviewing Kathleen McDaniel's correspondence to you dated December 16, 2013, it appears that the trial transcript is 265 pages long and the index shows testimony of Robert S. Jones beginning at page 42; Robert Kiesler beginning at page 83, and Justin Strickland beginning at page 170.

Please provide me with the requested testimony with the correct page numbers so that we can cite to the correct transcript pages as necessary. Do not hesitate to call me if you should have any questions.

Thank you.



Litigation is our Business.

Karen S. Anders v-card  
Paralegal

803.231.7815  
www.sowellgray.com

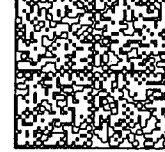


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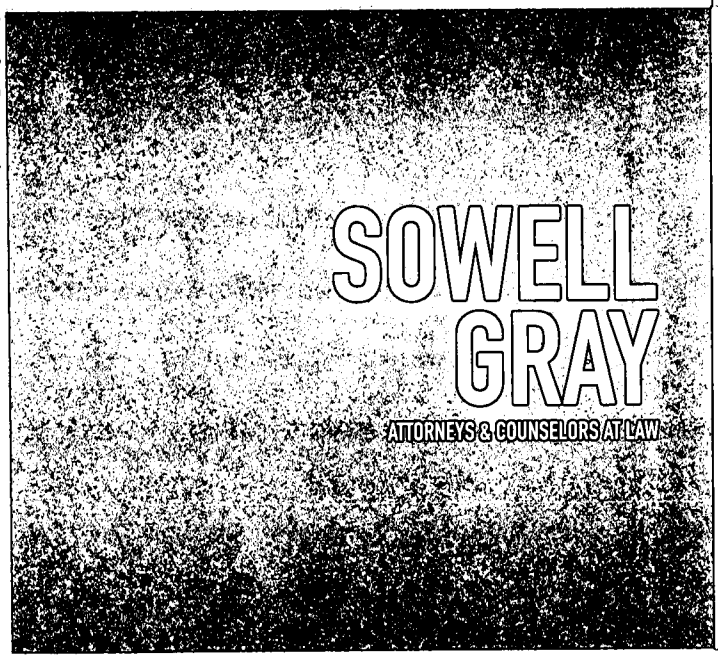
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MAR 13 2014

SC Court of Appeals

Litigation is our life. 853/1599. [sowellgray.com](http://sowellgray.com)



SOWELL GRAY STEPP & LAFFITTE, LLC 1310 Gadsden Street PO Box 11449 Columbia, SC 29211

The Honorable Jenny Abbot Kitchings  
 Clerk, South Carolina Court of Appeals  
 P.O. Box 11629  
 Columbia, South Carolina 29211

