

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

JUL 08 2014

**SC Court of Appeals**

APPEAL FROM GEORGETOWN COUNTY  
Benjamin H. Culbertson, Circuit Court Judge

Case No. 2009-CP-22-1045

John Steven Goodwin, Louise C. Goodwin, Thomas I. Puckett and  
Brenda C. Puckett, Robert Nahama and Jeanne E. Nahama, Thomas  
Holland and Sharon Louise Holland, Joyce K. Sobel, Robert W.  
Waruszewski, Richard N. Taylor, Robert K. Spillers (a/k/a Robert  
Spillers), and Deborah T. Spillers (a/k/a Deborah Spillers), Patrick A.  
DiAngelo and Deborah A. DiAngelo, Gary E. Owens and Joyce M.  
Owens, Fount L. Shults and Lynda M. Shults, Dennis Ridgeway and  
Teresa Lynn Ridgeway, ..... Appellants,

v.

Landquest Development, LLC, Kyle V. Corkum, South Bay  
Properties, LLC, C.R. Thompson and Sons, LLC, Ronald L. Charlton,  
Bonnie N. Charlton, James R. Charlton and Bayside Property Inc.,  
The City of Georgetown, Hartford Casualty Insurance Company,  
Hartford Fire Insurance Company, and National Land Sales, Inc., f/k/a  
Source One Communities, LLC, a/k/a Source One Signature  
Communities, ..... Respondents.

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**MOTION TO STRIKE PORTION OF REPLY BRIEF**

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The Respondent City of Georgetown moves this Court to strike Section I of  
the "Reply Arguments" set forth in the Appellants' Initial Reply Brief on the basis

that (1) the Appellants have improperly raised a new issue in their reply brief that was not previously addressed in their opening brief and (2) the Appellants have improperly cited to and relied on an unpublished opinion of this Court

The grounds for this motion are set forth in more detail in the supporting memorandum filed herewith.

In accordance with Rule 240(b), SCACR, the Respondent City of Georgetown respectfully requests that all time limits be held in abeyance while this motion remains pending.

DAVIDSON & LINDEMANN, P.A.

BY:   
\_\_\_\_\_  
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City of Georgetown*

Columbia, South Carolina

July 8, 2014

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Source One Communities, LLC, a/k/a Source One Signature  
Communities, ..... Respondents.

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**CERTIFICATE OF SERVICE**

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The undersigned employee of Davidson & Lindemann, P.A., attorneys for the  
Respondent City of Georgetown, does hereby certify that service of the **Motion to  
Strike Portion of Reply Brief and Memorandum in Support of Motion to Strike**

**Portion of Reply Brief** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelope this the 8th day of July 2014:

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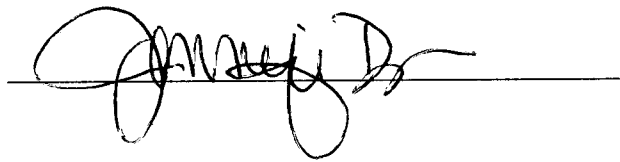
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A handwritten signature in black ink, appearing to read "Eric S. Bland", is written over a solid horizontal line. The signature is stylized and cursive.

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DAVIDSON & LINDEMANN, P.A.

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July 8, 2014

Of Counsel  
Kenneth P. Woodington

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

**Hand Delivered**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Edgar Brown Building  
1205 Pendleton Street  
Columbia, South Carolina 29201

**RECEIVED**  
JUL 08 2014  
**SC Court of Appeals**

RE: John Steven Goodwin, *et al.* v. Landquest Development, LLC, *et al.*  
SCCA Case Number: 2013-001644  
Civil Action Number: 2009-CP-22-1045  
Our File Number: 79.7959

Dear Ms. Kitchings:

Please find enclosed for filing the originals and seven copies each of the **Motion to Strike Portion of Reply Brief** and **Memorandum in Support of Motion to Strike Portion of Reply Brief** in the above referenced matter. Please file the originals and return a clocked-in copy of each document to me by way of my law clerk. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
July 8, 2014  
Page Two

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cc: John M. Leiter, Esquire (*w/ Enclosures*)  
K. Douglas Thornton, Esquire (*w/ Enclosures*)  
Charles T. Smith, Esquire (*w/ Enclosures*)  
James Lynn Werner, Esquire (*w/ Enclosures*)  
Lawrence M. Hershon, Esquire (*w/ Enclosures*)  
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