

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM OCONEE COUNTY  
Court of Common Pleas

Alexander S. Macaulay, Presiding Judge Seventh Judicial Circuit

---

Appellate Case No. 2013-001404

---

Stoneledge At Lake Keowee Owners' Association, Inc., C. Dan Carson, Jeffrey J. Dauler, Joan W. Davenport, Michael Furnari, Donna Furnari, Jessy B. Grasso, Nancy E. Grasso, Robert P. Hayes, Lucy H. Hayes, Ty Hix, Jennifer D. Hix, Paul W. Hund, III, Ruth E. Isaac, Michael D. Plourde, Mary Lou Plourde, Carol C. Pope, Steven B. Taylor, Bette J. Taylor, and Robert White, Individually and on Behalf of All others similarly situated, Plaintiffs,

IMK Development Co., LLC, Keowee Townhouses, LLC, Ludwig Corporation, LLC, SDI Funding, LLC, Medallion at Keowee, LLC, Bradford D. Seckinger, John Ludwig, Larry D. Lollis, William C. Cox, Integrys Keowee Development, LLC, Marick Home Builders, LLC, M Group Construction and Development, LLC, Bostic Brothers Construction, Inc., Rick Thoennes, Mel Morris, Joe Bostic, Jeff Bostic, Clear View Construction, LLC, Michael Franz, MHC Contractors, Miguel Porras Choncoas, Builders First Source-Southeast Group, Mike Green, Southern Concrete Specialties, Carl Compton d/b/a Compton Enterprize a/k/a Compton Enterprises, Gunter Heating & Air, All Pro Heating, A/C & Refrigeration, LLC, Coleman Waterproofing, Heyward Electrical Services, Inc., Tinsley Electrical, LLC, Hutch N Son Construction, Inc., Carl Catoe Construction, Inc., T.G. Construction, LLC, Delfino Construction, Francisco Javier Zarate d/b/a Zarate Construction, Alejandro Avalos Cruz, Herberito Acros Hernandez, Martin Hernandez-Aviles, Francisco Villalobos Lopez, Ambrosio Martinez-Ramirez, Ester Moran Mentado, Socorro Castillo Montel, Upstate Utilities, Inc., Southern Basements, Inc., MJG Construction and Homebuilders, Inc. d/b/a MJG Construction, KMAC, Inc., d/b/a KMAC North Carolina, Eufacio Garcia, Everado Jarmamillio, Garcia Parra Insulation, Inc., J&J Construction, Jose Nino, Jose Manuel Garcia, Eason Construction, Inc., and Vincent Morales d/b/a Morales Masonry, Miller/Player & Associates, Defendants,

Of whom Marick Home Builders, LLC and Rick Thoennes are the Appellants,

And Builders First Source-Southeast Group, Southern Concrete Specialties, Inc., Clear View Construction, LLC and Michael Franz are the Respondents,

Bostic Construction, Inc., Third Party Plaintiffs,

v.

**RECEIVED**

SEP 24 2014

**SC Court of Appeals**

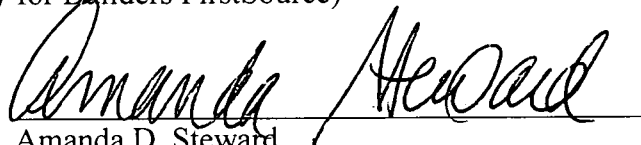
Southern Stone, Inc., and Buck Smith Construction, Third Party Defendants

---

PROOF OF SERVICE

---

I, Amanda D. Steward, certify that I have served the Record on Appeal by depositing a copy of it in the United States Mail, First Class postage prepaid, on September 24, 2014, addressed to Respondents' attorneys of record, Michael B.T. Wilkes, Esquire and Ellen S. Cheek, Esquire, 127 Dunbar Street, Suite 200 Spartanburg, SC 29306 (attorney for Clear View Construction, LLC and Michael Franz), Mason A. Goldsmith, Esquire, PO Box 1887, Greenville, SC, 29602 (attorney for Southern Concrete Specialties), Robert T. Lyles, Jr., Esquire, PO Box 773, Charleston, SC, 29401 (attorneys for Plaintiffs) and David A. Root, Esquire, PO Box 13897, Charleston, SC, 29422 (attorney for Builders FirstSource)

  
Amanda D. Steward  
Paralegal to Jason M Imhoff

September 24, 2014

RESPONDENTS' COUNSEL OF RECORD:

Michael B.T. Wilkes, Esquire  
Ellen S. Cheek, Esquire  
Wilkes Law Firm, PA  
127 Dunbar Street, Suite 200  
Spartanburg, SC 29306  
*Attorneys for Respondents Clear View Construction, LLC and Michael Franz*

Mason A. Goldsmith, Esquire  
Elmore Goldsmith, PA  
PO Box 1887  
Greenville, SC 29602  
*Attorneys for Respondents Southern Concrete Specialties*

David A. Root, Esquire  
Kernodle, Root, & Coleman  
PO Box 13897  
Charleston, SC 29422  
*Attorneys for Respondents Builders FirstSource*

Robert T. Lyles, Jr., Esquire  
Lyles & Lyles, LLC  
P. O. Box 773  
Charleston, SC 29401  
*Attorneys for Respondents Stoneledge at Lake  
Keowee Owners' Association, Inc. (Plaintiffs)*

**THE WARD LAW FIRM, P.A.**

ATTORNEYS AT LAW  
POST OFFICE BOX 5663  
SPARTANBURG, SOUTH CAROLINA 29304

JAMES W. HUDGENS#  
GENE ADAMSζ  
H. SPENCER KINGζ  
ROBERT E. DAVIS\*  
JASON M. IMHOFF  
JOHN E. ROGERS, II\*  
C. REED TEAGUE  
CHAD M. GRAHAM

#RETIRED  
ζCERTIFIED MEDIATOR  
\*ALSO MEMBER NORTH CAROLINA BAR

RUFUS M. WARD (1908-1988)  
L. PAUL BARNES (1931-1986)

233 SOUTH PINE STREET  
SPARTANBURG, S.C. 29302  
OFFICE NO. (864) 573-8500  
FAX. NO. (864) 585-3090

E-mail: jimhoff@wardfirm.com  
Direct No. 864-582-3075

September 24, 2014

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

***Re Stoneledge at Lake Keowee Owners' Association, Inc., et al. vs. IMK  
Development Co., LLC, et al. vs. Michael Franz, et al.  
Appellate Case No. 2013-001404***

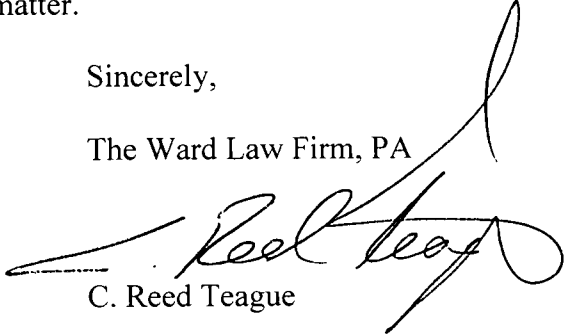
Dear Ms. Kitchings,

Please find enclosed an original and fifteen (15) copies of Appellate Marick Home Builders, LLC and Rick Thoennes' Record on Appeal in the above referenced matter. By a copy of hereof, I am serving the same upon the Respondents' counsel also. If you need anything further, please feel free to give me a call.

Thank you for your assistance in this matter.

Sincerely,

The Ward Law Firm, PA

  
C. Reed Teague

CRT/ads

Enclosure

cc: Michael B.T. Wilkes, Esquire  
David A. Root, Esquire

Mason A. Goldsmith, Esquire  
Robert T. Lyles, Jr., Esquire

**RECEIVED**  
SEP 24 2014  
SC Court of Appeals