

The South Carolina Court of Appeals

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,

v.

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, Carl Catoe Construction, Inc., T.G. Construction, LLC, Martin Hernandez-Aviles, Ester Moran Mentado, Herberto Arcos Hernandez, Francisco Javier Zarate d/b/a Zarate Construction ("Zarate Construction"), Alejandro Avalos Cruz, Francisco Villalobos Lopez, and Socorro Castillo Montel are the Respondents.

Bostic Construction, Inc., Third Party Plaintiffs,

v.

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

Appellate Case No. 2013-001401

ORDER

Appellants have filed a motion to strike certain matters from Respondents' designation of matter and any reference to the matters in Respondents' brief. After careful consideration, the motion is granted in part pursuant to Rule 210 of the South Carolina Appellate Court Rules. Respondents admit that the initial brief was erroneously cited. Thus, it is to be stricken from the record on appeal. Further, any deposition testimony not presented to the lower court is hereby stricken. The stricken matters shall not be included in the record on appeal. Furthermore, Respondents' final brief shall not reference the stricken matters.


FOR THE COURT

Columbia, South Carolina

cc:

Ronald G. Tate, Jr., Esquire
Steven Edward Buckingham, Esquire
William Duffie Powers, Esquire
Robert Batten Farrar, Esquire
Dana Woodrum Lang, Esquire
Lewis Gregory Cook Horton, Esquire
Kevin Lindsay Terrell, Esquire
P. Christopher Smith, Jr., Esquire
D. Andrew Williams, Esquire
Joshua Daniel Shaw, Esquire
Stephen P. Hughes, Esquire
William Thomas Young, III, Esquire
Elizabeth Ann Martineau, Esquire
Eric W. Rowell, Esquire
Finley B. Clarke, Esquire
Paul E. Hammack, Esquire
Andrew Finley Carson, Esquire
Geoffrey William Gibbon, Esquire
G Thomas Chase, Esquire
David A. Root, Esquire
Jason Michael Imhoff, Esquire
Christopher G. Lewis, Esquire
Carl Reed Teague, Esquire
Robert T. Lyles, Jr., Esquire
Matthew Tillman, Esquire

FILED
9/30/14 