

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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**SC Court of Appeals**

73727

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

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

Case No. 2012-CP-10-7594

One Belle Hall Property Owners Association, Inc. and  
Brandy Ramey, individually, and on behalf of all others  
similarly situated,.....

Respondents,

v.

TAMKO Building Products, Inc., .....

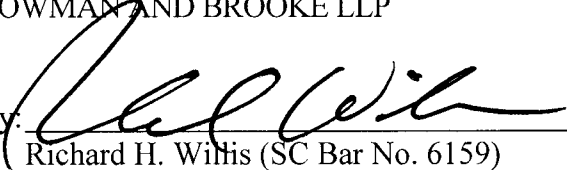
Appellant.

NOTICE OF APPEAL

TAMKO Building Products, Inc. appeals the Order of the Honorable J.C. Nicholson, Jr. dated September 15, 2014, and filed September 17, 2014 (attached as Exhibit A). Appellant received written notice of entry of the Order on September 24, 2014. Pursuant to Rule 205 of the SC Appellate Court Rules, the action currently pending in the Charleston County Court of Common Pleas case number 2012-CP-10-7594, as between Respondents and Appellant, is automatically stayed pending the outcome of this appeal. *Towles v. United Healthcare Corp.*, 338 S.C. 29, 36, 524 S.E.2d 839,842 (Ct. App. 1999) (“[A]n order that favors litigation over arbitration . . . is immediately appealable, even if interlocutory.”); *Levin v. Alms and Assocs., Inc.*, 634 F.3d 260, 264 (4th Cir. 2011) (“The core subject of an arbitrability appeal is the challenged continuation of proceedings before the district court on the underlying claims.”)

BOWMAN AND BROOKE LLP

By:

  
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Columbia, South Carolina

9-29, 2014

Other Counsel of Record:

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Attorneys for Respondent

THE STATE OF SOUTH CAROLINA  
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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

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

Case No. 2012-CP-10-7594

One Belle Hall Property Owners Association, Inc. and Respondents,  
Brandy Ramey, individually, and on behalf of all others  
similarly situated,.....

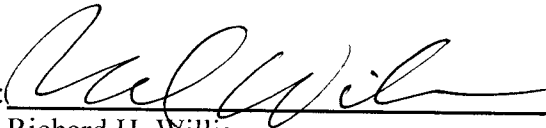
v.

TAMKO Building Products, Inc., ..... Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on One Belle Hall Property Owners Association, Inc. and Brandy Ramey, individually, and on behalf of all others similarly situated by depositing a copy of it in the United States Mail, postage prepaid, on September 29, 2014, addressed to their attorneys of record, Justin Lucey and Dabny Lynn, Post Office Box 806, Mt. Pleasant, SC 29465.

BOWMAN AND BROOKE LLP

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Attorneys for Appellant

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September 29, 2014

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**SC Court of Appeals**

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September 30, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
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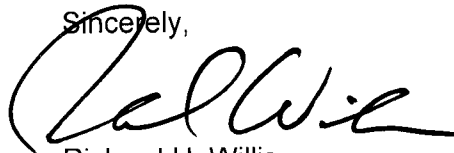
Re: One Belle Hall Property Owners Association, Inc. and Brandy Ramey,  
individually and on behalf of all others similarly situated vs. Trammell Crow  
Residential Company, et al.  
Case No. 2012-CP-10-7594

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

1. Proof of service of the notice of appeal on the respondent.
2. A copy of the order which is to be challenged on appeal.
3. A filing fee of \$100.

Sincerely,



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Attorney for Appellant

Other Counsel of Record:  
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SAN JOSE

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RICHMOND

**COLUMBIA**

DALLAS

AUSTIN

*Bowman and Brooke*  
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