

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

74045

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

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

Case No.'s 2009-CP-08-1068, 2009-CP-08-1413,
2008-CP-08-2714, 2009-CP-08-3916

DANIEL ISLAND RIVERSIDE
DEVELOPERS,
LLC, and CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,

FILED

SOUTH CAROLINA
COURT OF APPEALS

Plaintiffs,

vs.

WEATHER SHIELD
MANUFACTURING, INC.,
THE MUHLER CO., INC., and
A.C. CONSTRUCTION, INC.,

Defendants.

A.C. CONSTRUCTION, INC.,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE
DEVELOPERS,
LLC, and TRAVELERS
CASUALTY AND SURETY
COMPANY OF AMERICA,

Defendants.

GEOFFREY C. CIPKALA and
SAMUEL C. AGEE, as tenants in
common of the common elements
of the Oaks at River's Edge
Horizontal Property Regime and on
behalf of themselves and all other
tenants in common,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC,
CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,
CARRIAGE HILL
ASSOCIATES, INC.,

Defendants.

THE OAKS AT RIVERS EDGE
PROPERTY OWNERS
ASSOCIATION, INC., JOHN E.
ATKINSON, JOAN D.
STRANDQUIST, JOSEPH E.
CHIOVAROU, JR., PEYTON H.
COOK, JR., BRENDA COOK,
JOHN W. EDELEN, KAREN A.
NELSON, ROBERT J. GRAHAM,
MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
for the Nancy K. Johnson
Revocable Trust, WILLIAM JUNG,
CHARLES MARAZITI,
PATRICIA MARAZITI, GEORGE
S. POLLARD, ELEANOR J.
POLLARD, ROBERT REECE,
GERARD M. RUVO AND SUE S.
RUVO as trustees for the Ruvo
2006 Living Trust, CAROLYN M.
JENNINGS, THOMAS EDWARD
KEANE, EDWARD WALLACE
BARR, III, RICHARD B.
PEKRUHN, PAULINE
PEKRUHN, MATTHEW J.
SEVERANCE, and ELIZABETH

ASHLEY PHILLIPS
SEVERANCE,

Plaintiffs,

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DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC,
CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,
CARRIAGE HILL
ASSOCIATES, INC.,
WEATHER SHIELD
MANUFACTURING, INC.,
THE MUHLER CO., INC., A.C.
CONSTRUCTION, INC.,
COASTAL ROOFING, CO.,
INC., COASTAL CAULKING,
INC., MIKE PHILLIPS d/b/a
MIKE PHILLIPS MASONRY,
GERALD RUMPLICK,
EDWARD J. D'ORAZIO, and
RICH BEHRINGER,

Defendants.

Of Whom

THE OAKS AT RIVERS EDGE
PROPERTY OWNERS
ASSOCIATION, INC., JOHN E.
ATKINSON, JOAN D.
STRANDQUIST, JOSEPH E.
CHIOVAROU, JR., PEYTON H.
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NELSON, ROBERT J. GRAHAM,
MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
for the Nancy K. Johnson
Revocable Trust, WILLIAM JUNG,
CHARLES MARAZITI,
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BARR, III, RICHARD B.
PEKRUHN, PAULINE
PEKRUHN, MATTHEW J.
SEVERANCE, and ELIZABETH
ASHLEY PHILLIPS
SEVERANCE, are,

Respondents,

And

Of Whom

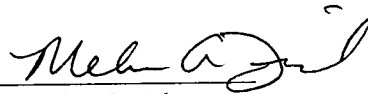
DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC, CARRIAGE
HILL ASSOCIATES OF
CHARLESTON, LLC, are

Appellants.

NOTICE OF APPEAL

Daniel Island Riverside Developers, LLC, and Carriage Hill Associates of Charleston, LLC, appeal the final order of the Honorable J.C. Nicholson, Jr., dated October 11, 2013, filed October 25, 2013, the Form 4 dated October 23, 2013, filed October 25, 2013, as amended October 31, 2013, and filed November 4, 2013, and the order of the Honorable J.C. Nicholson, Jr., dated October 3, 2014, denying Defendant's Motion for JNOV, Motion for New Trial, Motion for Remittitur, Motion for Set-Off, Motion for Allocation of Damages, and Motion for Election of Remedies. Appellant received written notice of entry of this order on October 7, 2014.

October 31, 2014



Charles S. Altman
Meredith L. Coker
Melissa A. Fried
ALTMAN & COKER, LLC
575 King Street, Suite A
Charleston, SC 29403
T: (843) 853-9907
F: (843) 853-9838

Roy P. Maybank
Amanda Maybank
MAYBANK LAW FIRM, LLC
531 Savannah Highway
Post Office Box 12579
Charleston, South Carolina 29422
T: (843) 766-8101
F: (843) 766-8102

Attorneys for Appellants

Other Counsel of Record:

W. H. Bundy, Jr.
M. Brent McDonald
Post Office Box 1542
Mt. Pleasant, South Carolina 29465-1542
T: (843) 881-1623

Attorneys for Respondents

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SC Court of Appeals

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MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
for the Nancy K. Johnson
Revocable Trust, WILLIAM JUNG,
CHARLES MARAZITI,
PATRICIA MARAZITI, GEORGE
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MANUFACTURING, INC.,
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Respondents,

And

Of Whom

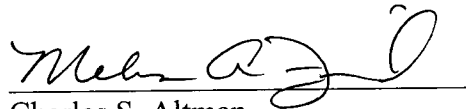
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HILL ASSOCIATES OF
CHARLESTON, LLC, are

Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, postage prepaid, on October 31, 2014, addressed to its attorneys of record, W.H. Bundy, Jr., Esquire, and M. Brent McDonald, Esquire, Smith, Bundy, Bybee & Barnett, P.C., Post Office Box 1542, Mt. Pleasant, South Carolina 29465-1542.

October 31, 2014



Charles S. Altman
Meredith L. Coker
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ALTMAN & COKER, LLC
575 King Street, Suite A
Charleston, SC 29403
T: (843) 853-9907
F: (843) 853-9838

Roy P. Maybank
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MAYBANK LAW FIRM, LLC
531 Savannah Highway
Post Office Box 12579
Charleston, South Carolina 29422
T: (843) 766-8101
F: (843) 766-8102

Attorneys for Appellants



Melissa A. Fried
mfried@altmancoker.com

October 31, 2014

VIA UPS DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: The Oaks at Rivers Edge Proper Owners Association, et.al, Respondents, v. Daniel Island Riverside Developers, LLC, et. al, Appellants, Case No.'s 2009-CP-08-1068, 2009-CP-08-1413, 2008-CP-08-2714, 2009-CP-08-3916
Our File No.: 141-62999

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 respondents.
- (2) A copy of the orders which are to be challenged on appeal.
- (3) A filing fee of \$100.
- (4) Motion to Amend the Caption (1 original and 6 copies)
- (5) Proof of service of the Motion to Amend the Caption on the respondents
- (6) A filing fee of \$25.

Sincerely,

Charles S. Altman
Meredith L. Coker
Melissa A. Fried
ALTMAN & COKER, LLC
575 King Street, Suite A
Charleston, SC 29403
(843) 853-9907

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AND

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Attorneys for Appellants

cc: W. H. Bundy, Jr.

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