

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, are,

Respondents

And

Of Whom

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

Appellants.

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SC Court of Appeals

MOTION TO AMEND THE CAPTION

Counsel for Appellants, Daniel Island Riverside Developers, LLC, and Carriage Hill Associates of Charleston, LLC, respectfully move this Court to amend the caption for the above-referenced case pursuant to Rule 240 of the South Carolina Appellate Court rules based on the following circumstances:

1. The original caption included four different cases which were never consolidated by the circuit court due to one party's failure to consent.
2. The party who failed to consent is not a party to this appeal.
3. Several parties from the original caption have since settled their lawsuits.
4. The current caption is cumbersome and not necessary to effectively resolve the appeal.

5. Counsel for Appellant proposes the caption be amended to the following:

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

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

Case No. 2009-CP-08-3916

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,

Respondents,

v.

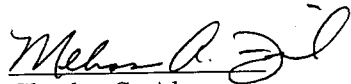
DANIEL ISLAND RIVERSIDE DEVELOPERS, LLC, CARRIAGE HILL ASSOCIATES OF CHARLESTON, LLC,

Appellants.

6. Counsel for Appellant has corresponded with Counsel for Respondents and counsel for Respondents has indicated their consent to this motion.

Respectfully submitted,

October 31, 2014



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Attorneys for Appellants

Other Counsel of Record:

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Attorneys for Respondents

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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,

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
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BARR, III, RICHARD B.
PEKRUHN, PAULINE
PEKRUHN, MATTHEW J.
SEVERANCE, and ELIZABETH
ASHLEY PHILLIPS
SEVERANCE,

Plaintiffs,

vs.

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.
COOK, JR., BRENDA COOK,
JOHN W. EDELEN, KAREN A.
NELSON, ROBERT J. GRAHAM,
MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
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Revocable Trust, WILLIAM JUNG,
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SEVERANCE, and ELIZABETH
ASHLEY PHILLIPS
SEVERANCE, are,

Respondents,

And

Of Whom

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

Appellants.

PROOF OF SERVICE

I certify that I have served the Motion to Amend Caption 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



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SUBJECT: [illegible]