

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. Thomas Cooper, Circuit Court Judge

Case No. 2012-CP-40-8512

The Gates at Williams-Brice Condominium Association
and Katharine Swinson, individually, and on behalf of
all others similarly situated , Respondents,

v.

DDC Construction, Inc.; Kapasi Glass Mart, Inc.;
DMC Consolidated, Inc.; DMC Builders, Co., Inc.,
individually and d/b/a The Dinerstein Companies; DC
Developers – Columbia Condos, Inc.; Columbia
Condos, LP; DMC Developers I, Ltd.; 31-W Insulation
Company, Inc.; Associated Concrete Contractors, Inc.;
Bailey Electric Company, LLC; C&B Utilities, LP;
Carolina Floor Systems, Inc.; Century Fire Protection,
LLC; Cherokee Inc.; Coronado Stucco, LP; Cross
Plains Custom Tile, Inc.; Lowry Construction &
Framing Inc.; LTB Construction, Inc.; Martin Morales
Jr. Painting & Drywall, LLC; Metal Construction
Materials, Inc.; Southwest Ironworks, Inc.; The
Clerkley/Watkins Group, LP; Tindall Corporation;
Triad Pest Control, Inc.; Wyman Acoustics LLC;
Alenco Holding Corporation, Alenco Window GA,
LLC, New Alenco Window, Ltd.; AWC Holding
Company; Crosby Window, Inc., f/k/a Action WinDoor
Technology, Inc.; Geo-Systems Design & Testing, Inc.;
HGE Consulting, Inc.; Maintenance Builders Supply,
Ltd.; SCA Engineers, Inc.; Sinclair & Associates, Inc.;
Faultless Hardware, individually and d/b/a Pamex, Inc.,
T&M Concrete, Inc.; Loveless Commercial
Contracting, Inc.; Economy Waterproofing, Inc.; BMC
West Corporation; Highway One Construction, Inc.;
J.I.Windows LLC; Dietrich Industries, Inc. a/k/a
Dietrich MetalFraming, Inc. n/k/a Clarkwestern
Dietrich Bilding Systems LLC; Best Masonry and its

successor in interest, OldCastleAPG; Headwaters, Inc.
d/b/a Best Masonry; and John Doe #1-10..... Defendants,

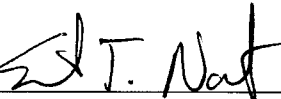
Of whom DDC Construction, Inc.; DMC Consolidated,
Inc.; DMC Builders, Co., Inc., individually and
improperly identified as d/b/a The Dinerstein
Companies; DC Developers – Columbia Condos, Inc.;
Columbia Condos, LP; DMC Developers I, Ltd.;
Associated Concrete Contractors, Inc.; Bailey Electric
Company, LLC; C&B Utilities, LP; Carolina Floor
Systems, Inc.; Century Fire Protection, LLC; Cherokee
Inc.; Coronado Stucco, LP; Cross Plains Custom Tile,
Inc.; Lowry Construction & Framing Inc.; LTB
Construction, Inc.; Martin Morales Jr. Painting &
Drywall, LLC; Metal Construction Materials, Inc.;
Wyman Acoustics LLC; and Highway One
Construction, Inc. are Appellants.

AMENDED NOTICE OF APPEAL

DDC Construction, Inc.; DMC Consolidated, Inc.; DMC Builders, Co., Inc.,
individually and improperly identified as d/b/a The Dinerstein Companies; DC
Developers – Columbia Condos, Inc.; Columbia Condos, LP; DMC Developers I,
Ltd.; Associated Concrete Contractors, Inc.; Bailey Electric Company, LLC; C&B
Utilities, LP; Carolina Floor Systems, Inc.; Century Fire Protection, LLC; Cherokee
Inc.; Coronado Stucco, LP; Cross Plains Custom Tile, Inc.; Lowry Construction &
Framing Inc.; LTB Construction, Inc.; Martin Morales Jr. Painting & Drywall, LLC;
Metal Construction Materials, Inc.; Wyman Acoustics LLC; and Highway One
Construction, Inc. (hereinafter "Appellants") timely appeal from two orders of the
Honorable G. Thomas Cooper in the above matter: (1) the Order filed July 18, 2014,

Denying Dinerstein and OCIP Defendants' Motion for Non-Jury Trial and to Strike Plaintiffs' Class Action Allegations and Jury Trial Demand and (2) the Order Denying Defendants' Motion to Reconsider filed January 22, 2015. Copies of these orders are attached hereto. Appellant received written notice of the entry of the first of these orders on July 21, 2014, and received written notice of the second of these orders on January 28, 2015.

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G. Thomas Cooper, Circuit Court Judge

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Respondents,

v.

DDC Construction, Inc., DMC Consolidated, Inc.,
DMC Builders, Co., Inc., individually and d/b/a The
Dinerstein Companies, DC Developers – Columbia
Condos, Inc., Columbia Condos, LP, DMC Developers
I, Ltd., et al.,.....

Appellants.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins
Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served
all counsel in this action with a copy of the document(s) hereinbelow specified by
mailing a copy of the same by electronic mail, postage prepaid, to the following
address(es):

Document(s): Amended Notice of Appeal

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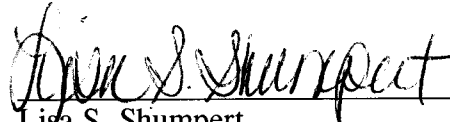
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Lisa S. Shumpert

February 3, 2015

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February 3, 2015

FEB 03 2015

Hand Delivered

SC Court of Appeals

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

RE: The Gates at Williams-Brice Condominium Association and Katharine Swinson,
individually, and on behalf of all others similarly situated v. DDC Construction, Inc., et al.
Civil Action No. 2012-CP-40-8512
Our File No. 41087/01500

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the Amended Notice of Appeal in the above-referenced matter. We would appreciate your filing the original in your office and returning a clocked copy via our courier.

By copy of this letter, we have served all counsel with a copy of same. In addition, we have furnished the lower court with a copy of the Notice.

Very truly yours,



Erik T. Norton

ETN:ls
Enclosures
cc: All Counsel