

Case No. 2015-000-343

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS

CASE NUMBER: 2009-CP-37-652

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 K. Plourde; Carol C. Pope; )  
Steven B. Taylor; Bette J. Taylor; and )  
Robert White, individually, and on behalf )  
of all others similarly situated, )

Plaintiffs, )

vs. )

IMK Development Co., LLC; Keowee )  
Townhouses, LLC; Ludwig Corporation, )  
LLC; SDI Funding, LLC; Medallion at )  
Keowee, LLC; Integrys Keowee )  
Development, LLC; Marick Home Builders, )  
LLC; Bostic Brothers Construction, Inc. )  
Miller/Player & Associates; Bradford D. )  
Seckinger; John Ludwig; William Cox; )  
Larry D. Lollis; Rick Thoennes; M Group )  
Construction and Development, LLC; Mel )  
Morris; Joe Bostic; Jeff Bostic; Clear View )  
Construction, LLC; Michael Franz; MHC )  
Contractors; Miguel Porras Choncoas; )  
Builders FirstSource Southeast Group; )  
Mike Green; Southern Concrete Specialties; )  
Carl Compton d/b/a Compton Enterprize )  
a/k/a Compton Enterprises; Gunter Heating )  
and Air; All Pro Heating, A/C & )  
Refrigeration, LLC; Coleman )  
Waterproofing; Heyward Electrical )  
Services, Inc.; Tinsley Electrical, LLC; )  
Hutch N Son Construction, Inc.; Upstate )  
Utilities, Inc.; Southern Basements, Inc.; )  
Carl Catoe Construction, Inc.; T.G. )  
Construction, LLC; Delfino Construction; )  
Francisco Javier Zarate d/b/a Zarate )

**THIRD AMENDED  
COMPLAINT**  
(Jury Trial Demanded)

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**SC Court of Appeals**

Case No: 2015-000-343

Construction; Alejandro Avalos Cruz; )  
 Herberio Acros Hernandez; Martin )  
 Hernandez-Aviles; Francisco Villalobos )  
 Lopez; Ambrosio Martinez-Ramirez; Ester )  
 Moran Mentado; Socorro Castiollo Montel; )  
 MJG Construction and Homebuilders, Inc. )  
 d/b/a MJG Construction; KMAC of the )  
 Carolinas, Inc.; Eufacio Garcia; Everado )  
 Jaramillo; Garcia Parra Insulation, Inc.; )  
 J & J Construction; Jose Nino; Jose Manuel )  
 Garcia; Eason Construction, Inc.; Vincent )  
 Morales d/b/a Morales Masonry; and )  
 Miller/Player & Associates )  
 )  
 Defendants, )  
 )

NOW COME, the Plaintiffs above-named, individually, and on behalf of all others similarly situated, complaining against the above-named Defendants, as follows:

**CLASS ALLEGATIONS**

1. Plaintiff Stoneledge at Lake Keowee Owners' Association, Inc. ("Stoneledge HOA") is a corporation organized and existing pursuant to the laws of the State of South Carolina and conducts business in Oconee County, South Carolina. The Stoneledge HOA was created on May 24, 2005, pursuant to the South Carolina Horizontal Property Regime Act.

2. The Amended and Restated By-Laws and Declaration of Covenants, Conditions and Resolutions for Stoneledge at Keowee, dated November 1, 2005, recorded on November 30, 2005 at Book 1464, Page 33-65, and the Resolution dated March 3, 2010, recorded on November 24, 2010 at Book 1805, Page 241-243 (which are incorporated herein by reference) impose upon the Stoneledge HOA an obligation to maintain, repair, and replace components of the townhomes at Stoneledge.

# HARPER, LAMBERT & BROWN, P.A.

Attorneys at Law

Donald A. Harper (1946-2007)  
N. Ward Lambert  
Cynthia Buck Brown  
Calvin T. Vick, Jr.  
R. Patrick Smith

420 East Park Avenue - Suite 220  
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Facsimile: (864) 235-6866

E-mail:           cbrown@hlbllegal.com

## FACSIMILE COVER LETTER

### PRIVILEGED AND CONFIDENTIAL

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PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME:           Amelia, S.C. Court of Appeals           803-734-1496  
CASE NO. 2015-000-343

FROM:           Cynthia Buck Brown

COMMENTS:   Attached is the caption to the Third Amended Complaint in this matter, which we believe to be the most current and correct list of the parties. Please let us know if you need anything further. Thank you.

Cynthia Buck Brown

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**SC Court of Appeals**

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DATE: March 3, 2015

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Case No. 2015-000-343

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF OCONEE )

IN THE COURT OF COMMON PLEAS  
FOR THE TENTH JUDICIAL CIRCUIT  
CASE NUMBER: 2009-CP-37-0652

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, )

vs. )

IMK DEVELOPMENT, CO., LLC, KEOWEE )  
TOWNHOUSES, LLC, LUDWIG CORPORATION, )  
LLC, SDI FUNDING, LLC, MEDALLION AT )  
KEOWEE, LLC, INTEGRYS KEOWEE )  
DEVELOPMENT, LLC, MARICK HOME BUILDERS, )  
LLC, BOSTIC BROTHERS CONSTRUCTION, INC., )  
MILLER/PLAYER & ASSOCIATES, BRADFORD D. )  
SECKINGER, JOHN LUDWIG, WILLIAM COX, )  
LARRY D. LOLLIS, RICK THOENNES, M GROUP )  
CONSTRUCTION AND DEVELOPMENT, LLC, MEL )  
MORRIS, JOE BOSTIC, JEFF BOSTIC, CLEAR )  
VIEW CONSTRUCTION, LLC, MICHAEL FRANZ, )  
MHC CONTRACTORS, MIGUEL PORRAS )  
CHONCOAS, BUILDERS FIRSTSOURCE )  
SOUTHEAST GROUP, MIKE GREEN, SOUTHERN )  
CONCRETE SPECIALTIES, CARL COMPTON D/B/A )  
COMPTON ENTERPRIZE A/K/A COMPTON )  
ENTERPRISES, GUNTER HEATING AND AIR, ALL )  
PRO HEATING, A/C & REFRIGERATION, LLC, )  
COLEMAN WATERPROOFING, HEYWARD )  
ELECTRICAL SERVICES, INC., TINSLEY )  
ELECTRICAL, LLC, HUTCH N SON )  
CONSTRUCTION, INC., UPSTATE UTILITIES, INC., )  
SOUTHERN BASEMENTS, INC., CARL CATOE )  
CONSTRUCTION, INC., T.G. CONSTRUCTION, )  
LLC, DELFINO CONSTRUCTION, FRANCISCO )  
JAVIER ZARATE D/B/A ZARATE CONSTRUCTION, )  
ALEJANDRO AVALOS CRUZ, HERBERTO ACROS )  
HERNANDEZ, MARTIN HERNANDEZ-AVILES, )

SUMMONS  
Third-Amended Complaint

FILED OCONEE, SO  
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Case No. 2015-000-343

FRANCISO VILLALOBOS LOPEZ, AMBROSIO )  
 MARTINEZ-RAMIREZ, ESTER MORAN )  
 MENTADO, SOCORRO CASTILLO MONTEL, MJG )  
 CONSTRUCTION AND HOMEBUILDERS, INC., )  
 D/B/A MJG CONSTRUCTION, KMAC OF THE )  
 CAROLINAS, INC., EUFACIO GARCIA, EVERADO )  
 JARMAMILLO, GARCIA PARRA INSULATION, )  
 INC., J&J CONSTRUCTION, JOSE NINO, JOSE )  
 MANUEL GARCIA, EASON CONSTRUCTION, INC., )  
 VINCENT MORALES MASONRY, AND )  
 MILLER/PLAYER & ASSOCIATES, )  
 ----- )  
 Defendants, )

TO: ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to Answer the Third Amended Complaint in this action, a copy of which is herewith served upon you and to serve a copy of your Answer to said Complaint on the subscribers at their offices, Lyles & Lyles, LLC, 342 East Bay Street, Post Office Box 773, Charleston, South Carolina 29402, within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Third Amended Complaint within the time aforesaid, the Plaintiffs in this action will apply to the Court for the relief demanded in the Third Amended Complaint and will seek a default judgment against you.

LYLES & LYLES, LLC  
 By: Catherine Bryan  
 Robert T. Lyles, Esquire  
 Catherine H. Bryan, Esquire  
 342 East Bay Street  
 Post Office Box 773 (29402)  
 Charleston, South Carolina 29401  
 T: 843.577.7730  
 F: 843.577.7172  
[rtl@lylesfirm.com](mailto:rtl@lylesfirm.com)  
[chb@lylesfirm.com](mailto:chb@lylesfirm.com)  
 Attorneys for Plaintiffs

April 3, 2012  
 Charleston, South Carolina

**HARPER, LAMBERT & BROWN, P.A.**  
Attorneys at Law

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Cynthia Buck Brown  
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PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Amelia, S.C. Court of Appeals 803-734-1496  
CASE NO. 2015-000-343

FROM: Cynthia Buck Brown

COMMENTS: Attached is a filed-stamped copy of the caption to the Third Amended Complaint you requested.

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**SC Court of Appeals**

NUMBER OF PAGES INCLUDING THIS COVER LETTER: 3

DATE: March 3, 2015

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