

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
COURT OF COMMON PLEAS

Clifton Newman, Circuit Court Judge

Trial Court Case No. 2010CP26-3901

Appellant Case No.: 2015-000248

RECEIVED
NOV 16 2015
SC Court of Appeals

Rivergate Homeowners' Association,

Appellant

v.

WW&LB Development Company, LLC,
RWG, Inc., Aiello Associates,
Daniels Engineering, Inc.,
Rivergate Homeowners' Association,
Rivergate Homeowners' Association
Board of Directors,
Wayne Winderman, individually,
Salvatrice Foran, individually,
Gerald Foran, individually,
Marcos Soares Construction,
William C. DeSouza, individually,
James Eason individually and d/b/a
James Eason & Company,
D&D Cleaning and Construction, Inc.,
Joel's Framing, Joe Freza,
Aroldo Garcia, Joaquin
Geraldo Zeferino, individually
and d/b/a Zeferino Framing,
Leo Trombley, Judy Schultz,
J&D Interior Design, Jose Dasmerces
d/b/a J.P. Construction,
Scott Chandler d/b/a Coastal
Custom Windows & Doors,
R&D Construction, Nicasio
Ramirez Zunigo, Walchir Morais,
Marco Trebbi, Blankenship
Roofing, Inc., DLJ Construction, LLC,
Dewayne Bates, The Bates Group, LLC,

Bridges Construction Co., Brewer
Construction, Inc., Speedy Concrete,
REB-FEL, Inc., Mark Mychajluk, Eric
Jazwinski, Southern Framing Corporation,
AB Consulting Engineers, Inc., WWI
Development Company, LLC,
Michael Dawson Construction, Inc.,
Asphalt Paving & Maintenance Co.,
Inc. and Chuck's Construction Co.,
Inc., Right Way Group, Inc., Stevens
Construction Co., Inc., Geometrics,
Inc., Eric Yazwinski, Law
Engineering, Inc., D & M Builders,
Inc., Hill Construction Company,
L.L.P., Adrian Mondragon, individually
and d/b/a Mondragon Construction, Inc.,
and Glen Causey, Defendants,

Of Whom Speedee Concrete, Inc. and Chuck's
Construction, Inc. are the Respondents,

Chuck's Construction Co., Inc., Third-Party Plaintiff,

v.

Vereen Concrete Co., Inc. and
Asphalt Pavement Maintenance
of Myrtle Beach, Inc., Third-Party Defendants,

Rivergate Homeowners' Association, Appellant,

v.

WW & LB Development Company,
LLC, Speedy Concrete,
AB Consulting Engineers, Inc.,
and Chuck's Construction Co., Inc., Defendants,

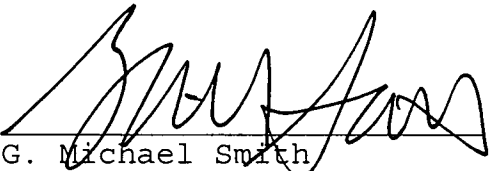
Of Whom AB Consulting Engineers,
LLC, Inc. is the Respondent.

Appellate Case No. 2015-000248

RETURN OF RESPONDENT SPEEDY CONCRETE TO
APPELLANT'S MOTION TO SERVE RECORD ON APPEAL OUT OF TIME

Respondent Speedee Concrete, Inc. (inaccurately identified as Speedy Concrete, Inc.), by its undersigned counsel, would respond to the Appellant's Motion to Serve the Record of Appeal Out of Time as follows: The initial brief of the Respondent Speedee Concrete, Inc. was served on the Appellant's counsel on August 28, 2015; there was no Initial Reply brief filed by Appellant's Counsel; Rule 210 (a), SCACR, provides that the Record on Appeal be served 30 days after the last brief; and the Motion to Serve the Record on Appeal Out of Time was dated November 2, 2015 and received on November 5, 2015.

Dated: 11/12/15



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Asphalt Paving & Maintenance Co.,
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Construction Co., Inc., Geometrics,
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Engineering, Inc., D & M Builders,
Inc., Hill Construction Company,
L.L.P., Adrian Mondragon, individually
and d/b/a Mondragon Construction, Inc.,
and Glen Causey, Defendants,

Of Whom Speedee Concrete, Inc. and Chuck's
Construction, Inc. are the Respondents,

Chuck's Construction Co., Inc., Third-Party Plaintiff,

v.

Vereen Concrete Co., Inc. and
Asphalt Pavement Maintenance
of Myrtle Beach, Inc., Third-Party Defendants,

Rivergate Homeowners' Association, Appellant,

v.

WW & LB Development Company,
LLC, Speedy Concrete,
AB Consulting Engineers, Inc.,
and Chuck's Construction Co., Inc., Defendants,

Of Whom AB Consulting Engineers,
LLC, Inc. is the Respondent.

Appellate Case No. 2015-000248

PROOF OF SERVICE

I certify that I have served the Respondent Speedy Concrete's Return to the Appellant's Motion to Serve the Record on Appeal Out of Time on the following Appellant and Respondents AB Consulting Engineers, Inc. and Chuck's Construction Co., Inc. by depositing a copy of it in the United States Mail, postage prepaid, on November 13, 2015, addressed to their attorneys of record as follows:

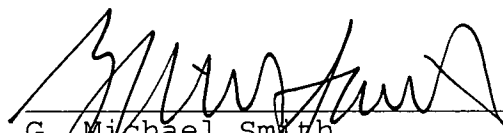
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Post Office Box 1349
Myrtle Beach, SC 29578
Attorney for Chuck's Construction, Inc. (Co-Counsel)

Dated: 11/13/15



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November 13, 2015

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211


RE: Rivergate Homeowners' Association vs. WW&LB Development
Company, LLC et al (Speedee Concrete)
Appellate Case No.: 2015-000248
Our Client: Speedee Concrete
Case No: 2010-CP-26-3901
Claim No.: 20987357/22 SBA BB9376
Our File No: 14260.50

Dear Ms. Kitchings:

I am enclosing an original and seven copies each of Respondent Speedee Concrete's Return to the Motion for Extension of Time to File Appellant's Motion to Serve Record on Appeal Out of Time in the above-referenced matter and Proof of Service on the Appellant and Co-Respondents. Please file the Return to Motion and Proof of Service and return the clocked additional copies to me in the enclosed self-addressed, stamped envelope.

By copy of this letter, I am serving the same upon opposing counsel. Thank you for your cooperation. If you have any questions or need anything further from me, please do not hesitate to call.

Very truly yours,



G. Michael Smith

GMS/tlt

Enclosures

cc: Stacy Stanley, Esq.
Stephanie Burton, Esq.
Christina Bisset, Esq.
J. Christopher Clark, Esq.
David Green
Seth Noiseaux