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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

RECEIVED  
NOV 16 2015  
SC Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

The Honorable Clifton Newman, Circuit Court Judge

Trial Court Case No. 2010-CP-26-03901  
Appellate Case No.: 2015-000248

Rivergate Homeowners' Association,  
v.

Appellant,

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 Zeferinao, individually, and d/b/a Zeferino Framing, Leo Trombley, Judy Schultz, J&D Interior Design, Jose Dasmercese 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, Bonnie Stone a/k/a Bonny Stone, DJL Construction Company, L.L.P., Adrian Mondragon, individually and d/b/a Mondragon Construction, Inc., and Glen Causey,

Defendants,

Of Whom Chuck's Construction, Inc. is the

Respondent,

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, Inc. is the

Respondent.

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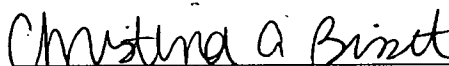
Reply of Respondent Chuck's Construction Co., Inc. to  
Appellant's Motion to Serve the Record on  
Appeal Out of Time

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Respondent Chuck's Construction Co., Inc., by its undersigned counsel, submits this reply in opposition to Appellant's Motion to Serve the Record on Appeal out of Time. Respondent Chuck's Construction Co., Inc.'s Initial Brief was served on August 5, 2015. Respondent Speedy Concrete's Initial Brief was served on August 28, 2015. Respondent AB Consulting Engineers, Inc.'s Initial Brief was served on July 31, 2015. Appellant did not submit a reply brief. Pursuant to Rule 210 of the South Carolina Appellate Court Rules, "within thirty (30) days after service of the last brief, the Appellant shall serve a copy of the Record on Appeal on each party who has served a brief." Appellant did not submit its Motion to Serve the Record on Appeal Out of Time until November 2, 2015, which is in excess of thirty (30) days after service of the last brief. Therefore, Appellant's Motion is not timely.

Respectfully submitted,

McANGUS GOUDELOCK & COURIE, LLC



Christina A. Bisset  
Bar No.: 77368  
James Christopher Clark  
Post Office Box 1349  
Founders Centre, 2411 N. Oak St, Suite 401 (29577)  
Myrtle Beach, South Carolina 29578  
(843) 848-6000

Attorneys for Chuck's Construction, Inc.

November 13, 2015

Other Counsel of Record:

Stacy L. Stanley, Esquire  
V. Denise Hamilton, Esquire  
Stanley Law Firm  
3303 Highway 9 East  
Little River, SC 29466  
Attorneys for Appellant

Stephanie Burton, Esquire  
Gibbs Burton, LLC  
308 East Saint John Street  
Spartanburg, SC 29302  
Attorney for AB Consulting Engineers, Inc.

G. Michael Smith, Esquire  
Thompson & Henry, PA  
PO Box 1740  
Conway, SC 29528  
Attorneys for Speedee Concrete

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The Honorable Clifton Newman, Circuit Court Judge

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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 Zeferinao, individually, and d/b/a Zeferino Framing, Leo Trombley, Judy Schultz, J&D Interior Design, Jose Dasmercse 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, Bonnie Stone a/k/a Bonny Stone, DJL Construction Company, L.L.P., Adrian Mondragon, individually and d/b/a Mondragon Construction, Inc., and Glen Causey,  
Defendants,

Of Whom Chuck's Construction, Inc. is the Respondent,

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, Inc. is the Respondent.

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PROOF OF SERVICE

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I hereby certify that on November 13, 2015, I served a corrected copy of Reply of Respondent Chuck's Construction Co., Inc. to Appellant's Motion to Serve the Record on Appeal Out of Time Respondent to be Included in the Record on Appeal by depositing in the United States Mail, with due and proper postage affixed hereto, a copy of the same addressed to:

Mr. Stacy L. Stanley  
Ms. V. Denise Hamilton  
Stanley Law Firm  
3303 Highway 9 East  
Little River, SC 29566

Mr. G. Michael Smith  
Thompson & Henry, P.A.  
P.O. Box 1740  
Conway, SC 29528

Ms. Stephanie Burton  
Gibbs Burton, LLC  
308 East Said John Street  
Spartanburg, SC 29302

November 13, 2015

  
Wanda L. James

**Reply To**

WANDA L. JAMES  
Direct Dial: (843) 848-6002  
wanda.james@mgclaw.com

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NOV 16 2015

SC Court of Appeals

November 13, 2015

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

RE: Rivergate HOA vs. WW & LB Development Company, et al / vs. Chuck's  
Construction, et al.  
Liberty Mutual Claim No.09050880  
Civil Action No.: 2015-000248  
Date of Incident: \*\*\*Incident Date\*\*\*  
Carrier Claim No.: 5260032107 & 09050880-001  
MGC File No.: 20216.09088

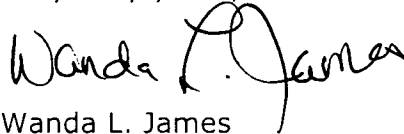
Dear Ms. Kitchings:

Please find enclosed for filing the original and six (6) copies of Reply of Respondent Chuck's Construction Co., Inc. to Appellant's Motion to Serve the Record on Appeal Out of Time in the above-captioned case. I would appreciate your returning a clocked-in copy of the same to me in the envelope provided.

By copy of this letter, I am serving counsel of record with the above-referenced Reply of Respondent Chuck's Construction Co., Inc. to Appellant's Motion to Serve the Record on Appeal Out of Time.

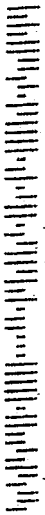
Thanking you in advance for your assistance, I am

Very truly yours,



Wanda L. James  
Legal Assistant to Christina A. Bisset

/wlj  
Enclosures



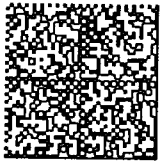
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INSURANCE  
DEFENSE

mgc

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20216.09088/CAB/wlj

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

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SC Court of Appeals