

78657

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

APPEAL FROM THE BEAUFORT COUNTY  
Court of Common Pleas

FEB 10 2016

**SC Court of Appeals**

The Honorable Brooks P. Goldsmith  
FOURTEENTH CIRCUIT COURT JUDGE

CIVIL ACTION NO. 2012-CP-07-2169

Lake Estates Property Owners Association, Inc., .....Plaintiff/Appellant  
v.

Lake Estates, LLC; Estate Builders, Inc.; Estate Home Builders, LLC; Arkiteknic, Inc.; David Sladek Engineering Company; Jenkins Plumbing Company, LC; American Paving Design, LLC; American Paving Design, Inc.; Miller Construction of the Low Country, Inc.; Whitaker Laboratory, Inc.; Heritage Plastering & Stucco, LLC CMC Steel Works, Inc.; Savannah Hardscapes, Inc.; Superior Heating & Air, Inc.; Michael Stoghill d/b/a Advanced Residential Plumbing; Warren Flick Associates, LLC; Warren Flick; Russell Miller; Russell Miller, Jr.; and Robert Miller.....Defendants

Of Defendants, Lake Estates, LLC; Estate Builders, Inc.; Miller Construction of the Low Country, Inc., Warren Flick, and Russell Miller.....Respondents

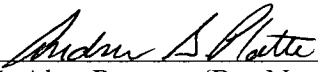
NOTICE OF APPEAL

Lake Estates Property Owners Association, Inc. ("Appellant") appeals those certain orders of the Honorable Brooks P. Goldsmith attached hereto:

1. Oral Order Granting Summary Judgment to Warren Flick entered January 11, 2016
2. Form 4 Order Granting Summary Judgment to Russell Miller filed January 11, 2016
3. Oral Directed Verdict Order for Miller Construction of the Low Country, Inc. entered on January 13, 2016

The Appellant also appeals the attached jury verdict entered January 14, 2016.

February 9, 2016

  
C. Alan Runyan (Bar No. 4837)  
A. G. Solomons III (Bar No. 68291)  
Andrew S. Platte (Bar No. 77801)  
2015 Boundary Street, Suite 239  
Beaufort, South Carolina 29902  
(803) 943-4444  
*Attorneys for Appellant Lake Estates  
Property Owners Association, Inc.*

Other Counsel of Record:  
Theodore L. Manos, Esquire  
Robertson Hollingsworth & Flynn  
Wells Fargo Center  
177 Meeting Street; Suite 300  
Charleston, SC 29401  
*Attorney for Miller Construction of the Low Country, Inc.*

Trent M. Kernodle, Esquire  
C. Davi Dyer, Esquire  
Kernodle, Root & Coleman  
Post Office Box 13897  
Charleston, SC 29422  
*Attorney for Lake Estates, LLC and Warren Flick*

O. Edworth Liipfert III, Esquire  
Griffith, Sadler & Sharp, P.A.  
600 Monson Street  
Beaufort, SC 29902  
*Attorney for Estate Builders, Inc. and Russell Miller*

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

FEB 10 2016

APPEAL FROM THE BEAUFORT COUNTY  
Court of Common Pleas

**SC Court of Appeals**

The Honorable Brooks P. Goldsmith  
FOURTEENTH CIRCUIT COURT JUDGE

CIVIL ACTION NO. 2012-CP-07-2169

Lake Estates Property Owners Association, Inc., .....Plaintiff/Appellant  
v.

Lake Estates, LLC; Estate Builders, Inc.; Estate Home Builders, LLC; Arkiteknic, Inc.; David Sladek Engineering Company; Jenkins Plumbing Company, LC; American Paving Design, LLC; American Paving Design, Inc.; Miller Construction of the Low Country, Inc.; Whitaker Laboratory, Inc.; Heritage Plastering & Stucco, LLC CMC Steel Works, Inc.; Savannah Hardscapes, Inc.; Superior Heating & Air, Inc.; Michael Stoghill d/b/a Advanced Residential Plumbing; Warren Flick Associates, LLC; Warren Flick; Russell Miller; Russell Miller, Jr.; and Robert Miller.....Defendants

Of Defendants, Lake Estates, LLC; Estate Builders, Inc.; Miller Construction of the Low Country, Inc.....Respondents

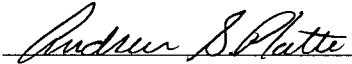
PROOF OF SERVICE

This is to certify that Appellant Lake Estates Property Owners Association, Inc.'s *Notice of Appeal with Exhibits 1 and 2* was served on Respondents in the above-referenced case by placing a copy of said document in the United States Mail on this the 9th day of February, 2015, addressed as follows:

Theodore L. Manos, Esquire  
Robertson Hollingsworth & Flynn  
Wells Fargo Center  
177 Meeting Street; Suite 300  
Charleston, SC 29401  
*Attorney for Miller Construction of the Low Country, Inc.*

Trent M. Kernodle, Esquire  
C. Davi Dyer, Esquire  
Kernodle, Root & Coleman  
Post Office Box 13897  
Charleston, SC 29422  
*Attorney for Lake Estates, LLC and Warren Flick*

O. Edworth Liipfert III, Esquire  
Griffith, Sadler & Sharp, P.A.  
600 Monson Street  
Beaufort, SC 29902  
*Attorney for Estate Builders, Inc. and Russell Miller*

  
C. Alan Runyan (Bar No. 4837)  
A. G. Solomons III (Bar No. 68291)  
Andrew S. Platte (Bar No. 77801)  
2015 Boundary Street, Suite 239  
Beaufort, South Carolina 29902  
(803) 943-4444  
*Attorneys for Appellant Lake Estates  
Property Owners Association, Inc.*

**SPEIGHTS & RUNYAN**  
ATTORNEYS AT LAW  
2015 BOUNDARY STREET  
SUITE 239  
BEAUFORT, SOUTH CAROLINA 29902  
(803) 943-4444

ANDREW S. PLATTE  
APLATTE@SPEIGHTSRUNYAN.COM

February 9, 2016


The Honorable Jerri Ann Roseneau  
Clerk of Court for Beaufort County  
P.O. Drawer 1128  
Beaufort, SC 29901

*RE: Lake Estates Property Owners Association, Inc. v. Lake Estates, LLC, et al.*  
*Case No. 2012-CP-07-2169*

Dear Ms. Roseneau:

Enclosed please find for filing are the Notice of Appeal with Exhibits 1-2 and Proof of Service in the above referenced matter. Please return a clocked copy to me in the envelope provided for your convenience. Should you have any questions, please do not hesitate to contact me at your earliest convenience.

Sincerely,



Andrew S. Platte

Enclosure(s)

cc: The Honorable Jenny Abbott Kitchings (via Fed Ex, letter only)  
C. Davi Dyer, Esquire (via e-mail only, w/enclosures)  
Theodore L. Manos, Esquire (via e-mail only, w/enclosures)  
O.Edworth Liipfert, Esquire (via e-mail only, w/enclosures)

**RECEIVED**  
FEB 10 2016  
SC Court of Appeals

**SPEIGHTS & RUNYAN**  
ATTORNEYS AT LAW  
2015 BOUNDARY STREET  
SUITE 239  
BEAUFORT, SOUTH CAROLINA 29902  
(803) 943-4444

ANDREW S. PLATTE  
APLATTE@SPEIGHTSRUNYAN.COM

FACSIMILE (843) 522-0142

**RECEIVED**

FEB 10 2016

**SC Court of Appeals**

February 9, 2016

**Via FedEx**

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

RE: *Notice of Appeal from Beaufort County Court of Common Pleas  
Case No. 2012-CP-07-2169*

*Lake Estates Property Owners Association, Inc., Appellants*

*Lake Estates, LLC; Estate Builders, Inc.; Miller Construction of the Low Country,  
Inc., Warren Flick, and Russell Miller- Respondents*

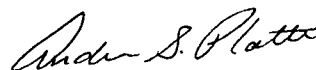
Dear Ms. Kitchings:

Enclosed for filing on behalf of the above-enumerated Appellants with regard to the above reference matter, please find the following:

1. Notice of Appeal with Exhibits 1-2;
2. Proof of Service of Notice of Appeal on the Respondents;
3. Cover letter accompanying Notice of Appeal with Exhibits 1-2 to Beaufort County Clerk of Court; and
4. This firm's check in the amount of \$100.

We have also included extra copies of the Notice of Appeal and Proof of Service and appreciate you returning these copies, filed-stamped, to me in the envelope provided for your convenience. Should you have any questions, please do not hesitate to contact me at your earliest convenience.

Sincerely,



Andrew S. Platte

Enclosure(s)

cc: The Honorable Jerri Ann Roseneau  
C. Davi Dyer, Esquire  
Theodore L. Manos, Esquire  
O.Edworth Liipfert, Esquire

ORIGIN ID:BNFA (800) 348-3805  
ANDREW PLATTE

2015 BOUNDARY STREET  
SUITE 239  
BEAUFORT, SC 29902  
UNITED STATES US

SHIP DATE: 09FEB16  
ACTWGT: 0.50 LB  
CAD: 105313137/NET3730

BILL SENDER

TO HON. JENNY ABBOTT KITCHINGS  
SC COURT OF APPEALS  
1015 SUMTER STREET

RECEIVED

COLUMBIA SC 29201

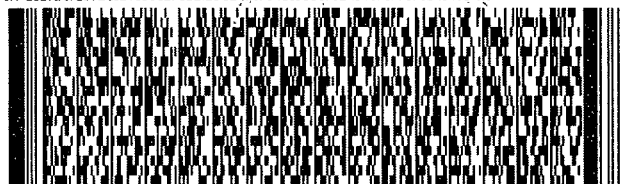
(803) 734-1890

FEB 10 2016

INV  
PO:

DEPT  
SC Court of Appeals

540J197D7727F



FedEx.  
Express



J161010491ur

WED - 10 FEB 3:00P  
STANDARD OVERNIGHT

TRK# 7756 0885 0777

0201

XH USCA

29201  
SC-US CAE

