

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
C/A NO. 2007-CP-26-1426

The St. Clements Homeowners )  
Association, Inc., )

Plaintiff, )

Vs. )

BE-MI, Inc., )

Defendant. )

ORDER

HORRY COUNTY  
12 SEP 25 AM 9:04  
MELANIE HUGGINS-WARD  
CLERK OF COURT

*1*  
*CAH*

This matter is before the court on Plaintiff's Motion to Alter or Amend the court's Final Order dated December 20, 2010 (the "Order"). The case was heard without a jury on September 18, 2009 and extensive testimony and numerous exhibits were offered by both parties. After careful review and consideration of all of the evidence, I issued my Order of December 20, 2010 in which (a) the Plaintiff's request for an injunction requiring the Defendant to remove certain improvements located at the St. Clements Horizontal Property Regime property was denied, (b) the Plaintiff's request for an award of attorney's fees was denied, and (c) it was ruled that the Defendant had the right to retain and maintain a certain deck and other then existing improvements or their replacements, pursuant to a Counterclaim by the Defendant. A review of the Order reveals a summary of the facts and conclusions of law which formed the basis for the rulings.

On January 7, 2011, Plaintiff filed its Motion to Alter or Amend the Order and attached copies of its previously filed Memoranda. A reading of the Motion indicates that the Plaintiff believes that the Order is in error for the identical reasons set out by Plaintiff at the trial, and as

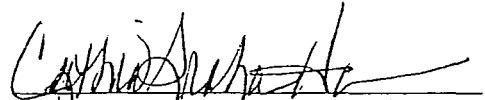
previously argued by Plaintiff in its written memoranda. In general, Plaintiff argues that the evidence at trial does not support the court's ruling.


I have reviewed the record from the trial, and considered the Plaintiff's Motion and attachments. I have failed to find any basis on which the original Order should be Altered or Amended, and after such review conclude that the Order contains the correct determination of the matters then before the court. Based on the foregoing, it is;

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**ORDERED**, that the Plaintiff's Motion to Alter or Amend dated January 7, 2011 is hereby denied.

**IT IS SO ORDERED.**

  
Cynthia Graham Howe  
Master-in-Equity for Horry County

 Conway, South Carolina

Dated: September 19, 2012