

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM BEAUFORT COUNTY
In the Court of Common Pleas
J. Michael Baxley, Circuit Court Judge

SC Court of Appeals

Case No. 2007-CP-07-1396

Anthony and Barbara Grazia, individually and
on behalf of all other similarly situated Plaintiffs,..... Respondents,

v.

South Carolina State Plastering, LLC,..... Defendant,

and

South Carolina State Plastering, LLC,..... Defendant,

v.

Del Webb Communities, Inc. Pulte Homes, Inc.
and Kephart Architects, Inc., Third-Party Defendants,

Of whom Del Webb Communities, Inc., and
Pulte Homes, Inc. are Appellants.

PETITION FOR REHEARING

This Court's Order of August 31, 2012, grants the Respondents' motion to dismiss the above-captioned appeal. This Court ruled that the appealed "orders are not immediately appealable" without mentioning or specifically ruling upon the grounds raised by Appellants Del Webb and Pulte in their Return to Motion to Dismiss. This Court also did not mention or specifically rule upon the grounds raised by South Carolina State Plastering in its Return to

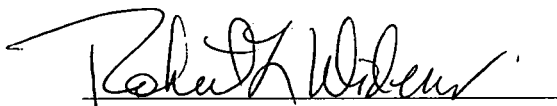
Motion to Dismiss its appeal of the same orders – Del Webb and Pulte had incorporated State Plastering’s grounds in their Return.

Del Webb and Pulte respectfully request this Court to issue an amended order that rules specifically upon the grounds raised in the returns to the motions to dismiss so that they may file a more informed petition for rehearing. Absent such an order, Del Webb and Pulte hereby renews as grounds for rehearing the arguments made in the Return of Del Webb and Pulte, as well as the Return of State Plastering, copies of which are attached hereto and incorporated herein by reference.

CONCLUSION

For all of the foregoing reasons, it is respectfully submitted that this Court should grant rehearing and deny the motion to dismiss.

Respectfully Submitted,



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Columbia, SC
September 17, 2012