

STATS OF SOUTH CAROLINA )  
 )  
 COUNTY OF BERKELEY )  
 )  
 CAROLINA COMFORT )  
 SPECIALISTS, LLC )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 LINDA MCGEE WEDDLE )  
 and DERICK LOYAL WEDDLE )  
 )  
 )  
 Defendants. )

IN THE COURT OF COMMON PLEAS  
 NINTH JUDICIAL CIRCUIT COURT  
 CASE NO.: 2012-CP-08-1869

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 BERKELEY COUNTY, S.C.

ORDER DENYING THE DEFENDANTS' RULE 59 MOTION

Presiding Judge: Dale Van Slambrook, Master-in-Equity for Berkeley County  
 Plaintiff's Attorney: Frank M. Cisa  
 Defendants' Attorney: Michael H. Murphy, III  
 Date of Hearing: September 15, 2016

The above case came before me September 15, 2016, pursuant to the Defendants' Motion Pursuant to Rule 59, SCRPC.

After careful consideration of the motion, the Court finds no reason to grant any relief to the Defendants, under Rule 59, SCRPC.

Based on the testimony presented at trial, there was ample evidence that Mr. Weddle acted with the express permission and consent of Mrs. Weddle in executing the contract. In addition, the Defendants admitted in their answer that they entered into an agreement with the Plaintiff for the Plaintiff to install a heating and air conditioning system in the property located at 155 Foxborough Drive, Goose Creek, S.C.

The Defendants also admitted in their answer that the Defendants were served with the Mechanic's Lien.

*ME*  
 1  
*DM*

As to the testimony of Mr. Pardee, I find that based upon his experience that he was qualified to testify as an expert.

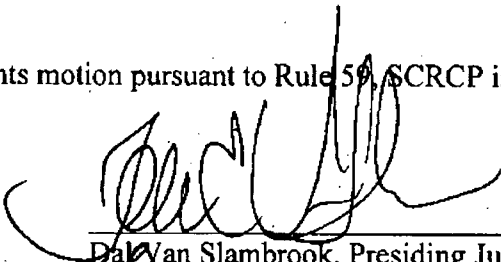
As to Defendants' contention that the Plaintiff failed to provide a warranty to the Defendants in the amount of \$800.00, it does not appear that the warranty claim was adequately pled or explained during the trial. There was not adequate testimony as to the existence or the scope of the warranty.

Lastly, as to the conflicting testimony as to whether the heating and air conditioning system was installed properly, the Court considered the evidence, testimony and the creditability of the witnesses in making the findings set forth in the Order of Judgment.

It is therefore

ORDERED, that the Defendants motion pursuant to Rule 59, SCRPC is denied.

AND IT IS SO ORDERED!

  
Daryn Slambrook, Presiding Judge  
Master-in-Equity for Berkeley County

This 13 day of October, 2016  
Monks Corn, S.C.