

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS
FOR THE FOURTEENTH JUDICIAL CIRCUIT
CIVIL ACTION NO.: 2007-CP-07-1396

ANTHONY and BARBARA)
GRAZIA, individually and on behalf)
of all other similarly situated)
Plaintiffs,)

Plaintiffs,)

v.)

SOUTH CAROLINA STATE)
PLASTERING, LLC,)

Defendant.)

SOUTH CAROLINA STATE)
PLASTERING, LLC,)

Third-Party Plaintiff,)

v.)

DEL WEBB COMMUNITITES,)
INC., PULTE HOMES, INC., and)
KEPHART ARCHITECTS, INC.,)

Third-Party Defendants.)

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FEB 15 2017

SC Court of Appeals

**ORDER DISMISSING DEFENDANTS'
MOTIONS TO RECONSIDER PURSUANT
TO RULE 59(e)**

2017 JAN -6 PM 12:32
JERRI ANN ROSENBAU
BEAUFORT COUNTY, S.C.
CLERK OF COURT

A Motion to Reconsider and/or Alter or Amend Order (No Motions Pending) dated September 9, 2016 was filed by Defendants Del Webb Communities, Inc. and Pulte Homes, Inc. (hereinafter "Webb/Pulte") on September 23, 2016, which Motion was subsequently joined by Defendant South Carolina State Plastering, LLC (hereinafter "SCSP") on October 3, 2016.

The Court's Order dated September 9, 2016 was interlocutory, and therefore Defendants' Motions to Reconsider were improvidently filed. As this Court has previously ruled, there is no provision in Rule 59(e), SCRCP, allowing a party to challenge an interlocutory order. Indeed, rule

59 motions are permitted only after final, appealable adjudications on the merits. Accordingly, once again, the Court hereby dismisses Defendants' Motions to Reconsider as improper.

AND IT IS SO ORDERED.



Edgar W. Dickson
Presiding Judge

Orangeburg, South Carolina
Dated: Dec. 29, 2016