

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Case No. 2007-CP-07-1396

RECEIVED

FEB 23 2017

SC Court of Appeals

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

v.

South Carolina State Plastering, LLC,.....Appellant,

And

South Carolina State Plastering, LLC,.....Appellant,

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.

MOTION TO CERTIFY APPEAL FOR REVIEW

Robert L. Widener
MCNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

A. Victor Rawl, Jr.
Henry W. Frampton, IV
MCNAIR LAW FIRM, P.A.
Post Office Box 1431
Charleston, South Carolina 29402
(843) 723-7831

ATTORNEYS FOR APPELLANTS
Del Webb Communities, Inc., and Pulte Homes, Inc.

Other Counsel of Record

W. Jefferson Leath, Jr.
Michael S. Seekings
Leath, Bouch & Seekings, LLP
92 Broad Street
Post Office Box 59
Charleston, South Carolina 29402
(843) 937-8811

Phillip W. Segui, Jr.
Segui Law Firm, LLC
864 Lowcountry Boulevard, Suite A (29464)
Post Office Box 1450
Mt. Pleasant, South Carolina 9465
(843) 884-1865

John T. Chakeris
The Chakeris Law Firm
231 Calhoun Street Post Office Box 397
Charleston, South Carolina 29402
(843) 853-5678

ATTORNEYS FOR RESPONDENTS (PLAINTIFFS)

Everett A. Kendall, II,
Sweeny, Wingate & Barrow, P.A.
Post Office Box 12129
Columbia, South Carolina 29211
(803) 256-2233

R. Michael Ethridge
Ethridge Law Group, LLC
Post Office Box 20969
Charleston, South Carolina 29413
(843) 614-0007

ATTORNEYS FOR APPELLANT South Carolina State Plastering, LLC

David S. Cobb
Turner, Padgett, Graham & Laney, P.A. Gateway Center, Suite 200
40 Calhoun Street
Post Office Box 22129
Charleston, South Carolina 29413-2129
(843) 576-2800
Attorneys for Kephart Architects, Inc.

Pursuant to Rule 204(b), SCACR, Del Webb and Pulte (Appellants) respectfully request this Court to certify this appeal for review by this Court and transfer jurisdiction over this appeal from the Court of Appeals to this Court, in which Appellants have filed an appeal from two orders by the Honorable Edgar W. Dickson. This motion is one of three original filings by Appellants in this Court that relate to this case, the other filings being a Petition for a Writ of Certiorari to the Circuit Court and a Petition for a Writ of Mandamus to the Circuit Court.

For the convenience of the Court and to avoid repetitious reading, the grounds and arguments in support of all original filings by Appellants have been compiled into a single, combined memorandum in support of the filings, together with a supporting appendix. For the reasons set forth in that combined memorandum in support, which are incorporated herein by reference, Appellants respectfully submit that this Court should certify this case for review by this Court and transfer the jurisdiction over this appeal from the Court of Appeals to this Court.¹

Respectfully Submitted,



Robert L. Widener
MCNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

A. Victor Rawl, Jr.
Henry W. Frampton, IV
MCNAIR LAW FIRM, P.A.
Post Office Box 1431
Charleston, South Carolina 29402
(843) 723-7831

ATTORNEYS FOR APPELLANTS
Del Webb Communities, Inc., and
Pulte Homes, Inc.

February 22, 2017
Columbia, SC

¹ Appellant South Carolina State Plastering has made similar filings in this Court regarding the same orders and others. Appellants Del Webb and Pulte have filed separate responses to those filings.

MCNAIR
ATTORNEYS

February 22, 2017

Robert L. Widener
SC Bar No. 6089

rwidener@mcnair.net
T 803.799.9800
F 803.753.3278

RECEIVED

FEB 23 2017

SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Anthony Grazia, Plaintiff v. SC State Plastering, Defendant and Del
Webb Communities, Inc., Pulte Homes, Inc. and Kephart Architects,
Inc., Third-Party Defendants
Appellate Case No. 2017-000218

Dear Ms. Kitchings:

Enclosed please find two copies of a Motion to Certify Appeal for Review which
has today been filed with the South Carolina Supreme Court regarding the above
referenced appeal. Please return one file stamped copy to me in the return
envelope provided.

Thank you for your assistance in this matter.

Respectfully yours,

McNAIR LAW FIRM, P.A.



Robert L. Widener

RLW/as
Enclosures

cc: Christy E. Mahon, Esq.
W. Jefferson Leath, Jr., Esq.
John T. Chakeris, Esq.
Phillip W. Segui, Jr., Esq.
David S. Cobb, Esq.

McNAIR LAW FIRM, P.A.
1221 Main Street
Suite 1800
Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

mcnair.net

Honorable Jenny Abbott Kitchings
February 22, 2017
Page 2

MCNAIR
ATTORNEYS

R. Michael Ethridge, Esq.
Everett A. Kendall, II, Esq.
Michael S. Seekings, Esq.

MCNAIR
ATTORNEYS

Post Office Box 11390
Columbia, SC 29211

RLW
020701-00059

COLUMBIA
SC 290
22 FEB '17
PM 11



U.S. POSTAGE >> PITNEY BOWES



ZIP 29201 \$ 000.67⁰
02 4W
0000339414 FEB. 22. 2017

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED

FEB 23 2017

SC Court of Appeals

29211-162929

