

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.)

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

SOUTH CAROLINA STATE)
PLASTERING, LLC,)
)
Third-Party Plaintiff,)

v.)

DEL WEBB COMMUNITITES,)
INC., PULTE HOMES, INC., and)
KEPHART ARCHITECTS, INC.,)
)
Third-Party Defendants.)

2017 JAN -6 PM 12:32
JERRI ANN ROSENEAU
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), SCRPC, 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

Diangelby, South Carolina
Dated: Dec. 29, 2016



LEATH, BOUCH & SEEKINGS, LLP
COMMERCIAL LITIGATION • CONSTRUCTION • ENVIRONMENTAL

January 3, 2017

VIA USPS

The Honorable Jerri Ann Roseneau
Beaufort County Clerk of Court
P.O. Box 1128
Beaufort, SC 29901

RE: *Anthony and Barbara Grazia, et al v. South Carolina State Plastering LLC*
Case No.: 2007-CP-07-1396
LBS File No. 1351.2

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

Dear Ms. Roseneau:

Please find enclosed for filing the original and one (1) copy of the Order Dismissing Defendants' Motions to Reconsider Pursuant to Rule 59(e), and the Order Requiring Mediation. Please file the original orders, file stamp the copies, and return the copies to me in the enclosed, self-addressed, stamped envelope.

By copy of this correspondence, I am forwarding the same to all counsel of record. If you have any questions or concerns, please do not hesitate to call our office.

Thank you and with best regards, I am

Yours very truly,

LEATH, BOUCH & SEEKINGS, LLP

Brittany Huskey
Paralegal to Michael S. Seekings

/bah

Enclosures as stated

cc: All Counsel of Record (via e-mail only)