



MURPHY & GRANTLAND, P.A.

Timothy J. Newton
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March 2, 2017

RECEIVED

MAR 02 2017

SC Court of Appeals

HAND DELIVERED

The Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Beresford Commons HOA, Inc. vs. Penuel Construction, LLC aka Superior, et al.
Civil Action No.: 2013-CP-08-00179
Claim No.: 61 39 AC 221437
Insured: Superior Solution, LLC
Our File No.: 1150-0740

Dear Ms. Kitchings:

I am writing to advise the court that the hearing transcript of the hearing on Nationwide's Motion to Intervene, which was held on January 31, 2017 was received by my office on March 2, 2017. Pursuant to Rule 207, SCACR, also please find attached e-mail chain in my attempt to ascertain the status of the transcript of the hearing on Nationwide's Motion for Reconsideration. I have verified that the transcript of that hearing was timely requested. I will forward it upon receipt.

As always, I thank you and your staff for all the help and assistance you repeatedly provide with regard to these matters.

Sincerely,

Timothy J. Newton

TJN/sb
Enclosures

cc: All Counsel of Record (via email)
Court Administration

Telephone 803-782-4100 • Facsimile 803-782-4140

4406-B Forest Drive, Columbia, South Carolina 29206 • Post Office Box 6648, Columbia, South Carolina 29260

Tim J. Newton

From: Tim J. Newton
Sent: Thursday, March 02, 2017 11:24 AM
To: 'dlauder@sccourts.org'
Subject: RE: Beresford Commons HOA v. Penuel, et al.
Attachments: SKM_C754e17030211180.pdf

Please disregard my prior e-mail as it was sent in error. It appears that we did request the transcript back on Feb. 9, 2017.

Tim N.



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From: Tim J. Newton
Sent: Thursday, March 02, 2017 9:30 AM
To: 'dlauder@sccourts.org' <dlauder@sccourts.org>
Subject: FW: Beresford Commons HOA v. Penuel, et al.

Denise,

I just found out today that you were the court reporter for the hearing on Nationwide's Motion to Reconsider, which was held on February 6, 2017 at approximately 9:30 am before Judge Kristi Harrington in Monck's Corner (Berkley County). Apparently by mistake the request went to the wrong court reporter. We got the transcript of the hearing on the initial denial of Nationwide's motion today, and that was done by a different court reporter.

We are making a formal request to you today by mail for that transcript (hearing on Feb. 6). However, I am e-mailing you also just to request that if you still have that tape, that you don't destroy it. That hearing lead to an appeal and we need the transcript. Thank you for your consideration, and I apologize for the error.

Tim N.



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From: Hurley, Grace L. [<mailto:GHurley@sccourts.org>]
Sent: Thursday, March 02, 2017 8:52 AM
To: Tim J. Newton <tnewton@murphygrantland.com>
Subject: Re: Beresford Commons HOA v. Penuel, et al.

I would not have been the reporter with Judge Harrington that week, which I assume she heard in Berkeley County February 6th? The reporter would have been as follows:

Denise Lauder
300B California Avenue
Moncks Corner, SC 29461.

If you need any further information, please let me know.

Thanks,

Grace L. Hurley, CVR-CM-M
Circuit Reporter
15th Judicial Circuit
P.O. Box 30878
Myrtle Beach, SC 29588

From: Tim J. Newton <tnewton@murphygrantland.com>
Sent: Thursday, March 2, 2017 8:37 AM
To: Hurley, Grace L.
Subject: RE: Beresford Commons HOA v. Penuel, et al.

Grace,

There was another hearing on the following Monday, February 6, 2017, at approximately 9:30 am on Nationwide's Motion to Reconsider. Adam Neil appeared from our firm. That was the hearing that directly lead to the appeal. I believe we ordered that one also. Is that one in the works?

Tim Newton

[cid:image001.png@01D29330.29627F80]

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[3ZWR5vjn8_Iy72ubcgvq5dQMCSdBaQ&s=1dYSz0SysRuWropHUnNLrzi3Jxu2Nqe5xO1cCaMCml8&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A_www.murphygrantland.com_&d=DwMFAG&c=YGvVmrQQ6VQOFx3Z93C9uQ&r=L7rjNVA7qnkru4Z)

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From: Hurley, Grace L. [<mailto:GHurley@sccourts.org>]

Sent: Thursday, March 02, 2017 6:31 AM

To: Tim J. Newton <tnewton@murphygrantland.com>

Subject: Beresford Commons HOA v. Penuel, et al.

Attached is the requested transcript in the above case held on January 31, 2017. I have also mailed a signed original, along with a bill for same.

Thanks,

Grace L. Hurley, CVR-CM-M

Circuit Reporter

15th Judicial Circuit

P.O. Box 30878

Myrtle Beach, SC 29588

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[prvs=2234e0c333=ghurley@sccourts.org](mailto:prvs=2234e0c333=ghurley@sccourts.org)

Low (90): Pass



MURPHY & GRANTLAND, P.A.

Timothy J. Newton  
Direct dial 803-454-1242  
tnewton@murphygrantland.com

February 9, 2017

Denise Lauder  
100 Broad Street, Suite 248  
Charleston, SC 29401

Re: Beresford Commons HOA, Inc. vs. Penuel Construction, LLC aka Superior, et al.  
Civil Action No.: 2013-CP-08-00179 and 2013-CP-08-00180  
Appellate Case No.: 2017-000202  
Claim No.: 61 39 AC 221437  
Insured: Penuel Construction, LLC  
Our File No.: 1150-0740

Dear Ms. Lauder:

I am writing to request a copy of a transcript of the hearing on Nationwide's Motion to Reconsider the denial of its Motion to Intervene in the above-referenced matter. The hearing was held on February 6, 2017 before The Honorable Kristi Lea Harrington. Please let me know if you require payment in advance.

Sincerely,

Timothy J. Newton

TJN/sb

cc: Jenny Abbot Kitchings  
Rosayln W. Frierson, Ct. Administration  
All Counsel of Record (via email)

