

STATE OF SOUTH CAROLINA )

COUNTY OF BEAUFORT )

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

Plaintiffs, )

vs. )

SOUTH CAROLINA STATE PLASTERING, )  
LLC. )

Defendant. )

and )

SOUTH CAROLINA STATE PLASTERING, )  
LLC. )

Third-Party Plaintiff, )

v. )

DEL WEBB COMMUNITIES, INC., PULTE )  
HOMES, INC. AND KEPHART )  
ARCHITECTS, INC., )

Third-Party Defendants. )

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

**SCHEDULING ORDER**

2016 MAY 26 AM 11:23  
CLERK OF COURT  
BEAUFORT COUNTY

**RECEIVED**

MAR 09 2017

**SC Court of Appeals**

Counsel for the parties appeared before me for a status conference on April 22, 2016. As the parties are beginning to conclude the Right to Cure phase of this litigation, it is the Court's desire and intention to set forth a schedule that will govern going forward. Although counsel have discussed this with the Court and among themselves, this Order is by directive of the Court and is not by the consent of the parties. All objections that have been expressed are preserved.

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1. All responses to Right to Cure Questionnaires must be delivered to counsel for SCSP on or before May 31, 2016. After that deadline, the parties may make motions as to the treatment of non-responsive class members.
2. Additionally the parties agree that there are people on the preliminary class list who do not properly qualify as members of the preliminary class. A consent order removing these people from the list should be submitted for each name that the parties agree to. Should there be people on the list that Defendants wish to remove that Plaintiffs disagree with, then Defendant shall file a motion making this request.
3. A hearing on the parties position on Class Certification will be held Thursday, September 1, 2016 at 10:00 AM at the Beaufort County Courthouse. The following briefing schedule will be followed:
  - a. To the extent any party wishes to submit a brief relative to class certification parties shall submit and serve said brief on or before August 1, 2016 (or 30 days prior to the hearing.)
  - b. Parties shall submit and serve any brief in response on or before August 15, 2016 (or 15 days prior to the hearing.)
  - c. Briefs should contain a statement of evidence or testimony that they intend to proffer to the Court at the final hearing.
4. The stay on discovery in this case shall remain in effect until the Court issues its ruling on final certification.
5. Whereas the parties desire to maintain the status quo during the mediation process, the time period for South Carolina State Plastering to comply with its rights pursuant to SC Code 40-59-850 as to the plaintiffs/class members shall be extended until the later of 1)

September 1, 2016; or 2) 45 days after the mediator (John Freud) notifies this court that he has declared an impasse in the ongoing mediation.

6. Trial scheduled for December 5, 2016, for a two week term.

IT IS SO ORDERED!

*May 16, 2016*



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Edgar W. Dickson  
Chief Administrative Judge