

# The Supreme Court of South Carolina

The Gates at Williams-Brice Condominium Association and Katharine Swinson, individually, and on behalf of all others similarly situated, Petitioners,

v.

DDC Construction, Inc.; Kapasi Glass Mart, Inc.; DMC Consolidated, Inc.; DMC Builders, Co., Inc., individually and d/b/a The Dinerstein Companies, DC Developers - Columbia Condos, Inc.; Columbia Condos, LP; DMC Developers I, Ltd.; 31-W Insulation Company, Inc.; Associated Concrete Contractors, Inc.; Bailey Electric Company, LLC; C&B Utilities, LP; Carolina Floor Systems, Inc.; Century Fire Protection, LLC; Cherokee Inc.; Coronado Stucco, LP; Cross Plains Custom Tile, Inc.; Lowry Construction & Framing Inc.; LTB Construction, Inc.; Martin Morales Jr. Painting & Drywall, LLC; Metal Construction Materials, Inc.; Southwest Ironworks, Inc.; The Clerkley/Watkins Group, LP; Tindall Corporation; Triad Pest Control, Inc.; Wyman Acoustics LLC; Alenco Holding Corporation, Alenco Window GA, LLC, New AlencoWindow, Ltd.; AWC Holding Company; Crosby Window, Inc., f/k/a/ Action WinDoor Technology, Inc.; Geo-Systems Design & Testing, Inc.; HGE Consulting, Inc.; Maintenance Builders Supply, Ltd.; SCA Engineers, Inc.; Sinclair & Associates, Inc.; Faultless Hardware, individually and d/b/a Pamex Inc.; T & M Concrete, Inc.; Loveless Commercial Contracting, Inc.; Economy Waterproofing, Inc.; BMC West Corporation; Highway One Construction, Inc.; J.I. Windows LLC; Dietrich Industries, Inc., a/k/a Dietrich Metal Framing, Inc. n/k/a Clarkwestern Dietrich Building Systems LLC; Best Masonry and its successor in interest, OldCastle APG; Headwaters, Inc. d/b/a Best Masonry; and John Doe #1-10, Defendants,

Of Whom DDC Construction, Inc. and Columbia  
Condos, LP, are the Respondents.

Appellate Case No. 2016-002440

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ORDER

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As part of a settlement agreement, the parties ask this Court to dismiss this matter and to vacate the opinion of the South Carolina Court of Appeals.

Pursuant to 261(d) of the South Carolina Appellate Court Rules, this matter is referred to the Court of Appeals for it to make a recommendation to this Court regarding the request for vacation of the opinion. The Court of Appeals should provide its recommendation within ten (10) days of the date of this order.

Columbia, South Carolina

May 25, 2017

cc: Howard A. Van Dine, III, Esquire  
Erik Tison Norton, Esquire  
Allen Mattison Bogan, Esquire  
Justin O'Toole Lucey, Esquire  
Stephanie D. Drawdy, Esquire  
Dabny Lynn, Esquire  
The Honorable Jenny Abbott Kitchings (with copy of memorandum of settlement)



FOR THE COURT

C.J.