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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Court Case No. 2016-2339  
Case No.: 2014-CP-08-2424

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JUN 05 2017

SC Court of Appeals

Patricia Damico, and Lenna Lucas, Individually and on behalf of others similarly situated, Joshua and Brettany Beutow, Edward and Sylvia Dengg, Jonathan and Theresa Douglass, Anthony and Stacey Ray, Danny and Ellen Davis Morrow, Czara and Chad England, Bryan and Cynthia Camara, and Matthew Collins

Respondents,

v.

Lennar Carolinas, LLC, Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc., TJB Trucking/Leasing, LLC, Paragon Site Constructors, Inc., Civil Site Environmental and Rick Bryant, Individually,

Of which Lennar Carolinas, LLC is

Appellant,

and

Of which Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc., TJB Trucking/Leasing, LLC and Civil Site Environmental are

Respondents,

Lennar Carolinas, LLC,

Appellant,

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A Concrete, Inc., Knight's Concrete Products, Inc., Knight's Red-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New Enterprises, LLC, Décor Corporation, DVS, Inc., Raul Martinez Masonry,

LLC, Builders FirstSource-Southeast Group, LLC, and Lowcountry Renovations and Siding, LLP, Third-Party Defendants,

Of which Volkmar Consulting Services, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A Concrete, Inc., Knights Concrete Products, Inc., Knights Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New Enterprises, LLC, Décor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource Southeast Group, LLC, are

Respondents,

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South Carolina Exteriors, LLC, Fourth-Party Plaintiff,

Respondent,

v.

Juan Garza Ramos d/b/a Juan Constructors, Fourth Party Defendants.

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**DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

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Respondent, South Carolina Exteriors, LLC, proposes the following be included in the Record on Appeal:

1. Order Denying Lennar's Motion to Alter or Amend and All Joining Parties' Motions to Reconsider, Filed October 26, 2016;
2. Order Denying Lennar's Motion to Compel Arbitration, Filed September 21, 2016;
3. Plaintiffs' Complaint, Filed December 12, 2014;
4. Lennar's Answer, Cross-Claims, and Third-Party Complaint, Filed February 17, 2015;
5. Plaintiffs' First Amended Summons and Complaint, Filed November 23, 2015;
6. Lennar's Answer to Plaintiffs' First Amended Complaint, Cross-Claims and Third-Party Complaint, Filed November 25, 2015;
7. Lennar's Motion to Compel Arbitration (without Exhibits), Filed June 1, 2015;
8. Lennar's Amended Motion to Compel Arbitration with all Exhibits and Attachment, Filed March 30, 2016;

9. Plaintiffs' Memorandum in Opposition to Lennar's Motion to Compel Arbitration, Filed April 7, 2016;
10. Lennar's Reply to Plaintiffs' Memorandum in Opposition to Lennar's Amended Motion to Compel Arbitration, Submitted to the Court April 8, 2016;
11. Lennar's Motion to Alter or Amend, Filed October 3, 2016;
12. Transcript of April 11, 2016 hearing on Lennar's Motion to Compel Arbitration;
13. Affidavit of Barbara Chalfant dated April 8, 2016 and Filed April 11, 2016;
14. Third-Party Defendant South Carolina Exteriors, LLC's Memorandum in Opposition to Lennar's Amended Motion to Compel Arbitration, Filed April 11, 2016;
15. South Carolina Exteriors, LLC's Motion to Alter or Amend, Filed October 4, 2016.

I certify that this Designation contains no matter which is irrelevant to this appeal.

Respectfully Submitted,

BEST HONEYCUTT, P.A.

By: \_\_\_\_\_

  
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***Attorneys Respondent for South Carolina  
Exteriors, LLC***

May 31, 2017  
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BERKELEY COUNTY  
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Of which Lennar Carolinas, LLC is

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Of which Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc., TJB Trucking/Leasing, LLC and Civil Site Environmental are

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Lennar Carolinas, LLC,

Appellant,

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The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A Concrete, Inc., Knight's Concrete Products, Inc., Knight's Red-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New

Enterprises, LLC, Décor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Builders FirstSource-Southeast Group, LLC, and Lowcountry Renovations and Siding, LLP, Third-Party Defendants,

Of which Volkmar Consulting Services, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A Concrete, Inc., Knights Concrete Products, Inc., Knights Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New Enterprises, LLC, Décor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource Southeast Group, LLC, are

Respondents,

South Carolina Exteriors, LLC, Fourth-Party Plaintiff,

Respondent,

v.

Juan Garza Ramos d/b/a Juan Constructors, Fourth Party Defendants.

**PROOF OF SERVICE**

The undersigned hereby certifies that on the date indicated below she served counsel with a copy of Respondent **South Carolina Exteriors, LLC's Initial Brief** by mailing copies of same by United States Mail with first class postage to the following address:

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May 31, 2017  
Charleston, South Carolina



BEST HONEYCUTT, PA  
ATTORNEYS AT LAW

May 31, 2017

The Honorable Jenny Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
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Columbia, SC 29201

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SC Court of Appeals

Re: *Patricia Damico, et al v Lennar Carolinas, LLC, et al v South Carolina Exteriors, LLC,*  
*et al*  
Case No.: 2014-CP-08-02424 (Berkeley County)  
BH File No.: 0001-100

Dear Ms. Kitchings:

Please find enclosed for filing with the Court, an original and two copies of the following in connection with the above-referenced case:

- Respondent South Carolina Exteriors, LLC's Initial Brief;
- Respondent South Carolina Exteriors, LLC's Designation of Matter to be Included in the Record on Appeal; and
- Proof of Service.

Please file the original documents and return a filed-stamped copy to me in the enclosed, self-addressed, stamped envelope. By copy of this letter, I am serving a copy of same upon all counsel of record. As always, please feel free to contact me if you have any questions regarding the enclosed.

With best regards,

Vicky E. Garner  
Paralegal to Jenny C. Honeycutt, Esquire

VEG

Enclosure

cc: All counsel of record (*via e-mail*)  
To all Other Counsel of Record (*via U.S. Mail*)