

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

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

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JUL 10 2017

SC Court of Appeals

Patricia Damico, and Lenna Lucas, Individually and on behalf of all 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..... Defendants,

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,

And

Lennar Carolinas, LLC.....Appellant,

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometries Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's 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, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource-Southeast Group, LLC, and Low Country 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., Knight's Concrete Products, Inc., Knight's 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, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource Southeast Group, LLC, are also Respondents,

And

Décor Corporation.....Fourth-Party Plaintiff,
v.

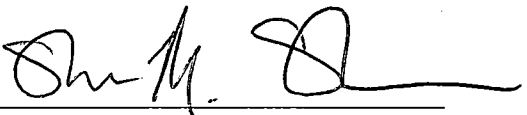
Baranov Flooring, LLC, DJ Construction Services, LLC, Creative Wood Floors, LLC, Geraldo Cunha, Ebenezer Flooring, LLC, Emmanuel Flooring and Siding, LLC, Eusi Flooring and Covering, LLC, Nicolas Flores, Alexander Martinez, Isidru Mejia, Juan Perez, Ernesto M. Perez, N&B Construction, LLC, Jose Dias Rodrigues, Livia Sousa, Jose Betio Pereira, Jose Paz Castro Hernandez, Divinio Aperecido Corgosinho, Ricardo Chiche, CEBS Construction, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and John Does 1-4.....Fourth-Party Defendants.

RESPONDENT A.C. & A. CONCRETE, INC.'S NOTICE TO JOIN IN FILINGS

Respondent A.C.& A. Concrete, Inc. (“ACA”) by and through its undersigned counsel, hereby advises the court of their Notice to Join in the arguments contained in the Initial Briefs submitted on behalf of Respondents DVS, Inc., Décor Corporation, Coastal Concrete Southeast, LLC and Coastal Concrete Southeast II, LLC, Super Concrete of SC; Inc., Manale Landscaping, LLC, South Carolina Exteriors, LLC, Alpha Omega Construction, Inc., Guaranteed Framing, LLC, and Myers Landscaping, Inc., including but not limited to the arguments and cited authorities referenced therein, as though those arguments were raised and asserted on behalf of A.C. & A. Concrete, Inc.

Respectfully Submitted,

ANDERSON REYNOLDS & STEPHENS, LLC

By: 

Shanna Milcetic Stephens (SC Bar No. 72012)

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Attorney for A.C. & A. Concrete, Inc.

Charleston, South Carolina

Dated: July 5, 2017

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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..... Defendants,

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,

And

Lennar Carolinas, LLC.....Appellant,

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometries Consulting, LLC,
Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A. Concrete, Inc., Knight's Concrete
Products, Inc., Knight's 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, Decor Corporation, DVS, Inc., Raul
Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors,
LLC, Builders FirstSource-Southeast Group, LLC, and Low Country 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., Knight's Concrete Products, Inc., Knight's 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, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource Southeast Group, LLC, are also Respondents,

And

Décor Corporation.....Fourth-Party Plaintiff,
v.

Baranov Flooring, LLC, DJ Construction Services, LLC, Creative Wood Floors, LLC, Geraldo Cunha, Ebenezer Flooring, LLC, Emmanuel Flooring and Siding, LLC, Eusi Flooring and Covering, LLC, Nicolas Flores, Alexander Martinez, Isidru Mejia, Juan Perez, Ernesto M. Perez, N&B Construction, LLC, Jose Dias Rodrigues, Livia Sousa, Jose Betio Pereira, Jose Paz Castro Hernandez, Divinio Aperecido Corgosinho, Ricardo Chiche, CEBS Construction, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and John Does 1-4.....Fourth-Party Defendants.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served the following counsel with a copy of the A.C. & A. Concrete, Inc.'s Notice to Join and Designation of Matter by mailing copies of same via electronic mail and United States Mail with first class postage prepared to the following addresses:

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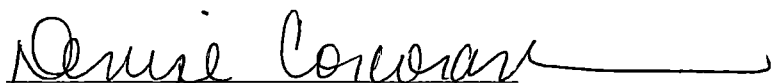
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July 5, 2017

VIA U.S. MAIL ONLY

The Honorable Jenny Abbott Kitchings
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SC Court of Appeals

Re: Patricia Damico, Lenna Lucas, individually and on behalf of all others similarly situated, Joshua and Brettany Buetow, 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 v. Lennar Carolinas, LLC, Spring Grove Planation Development, Inc., et al. v. A.C.&A. Concrete, Inc., et al.
Case No.: 2014-CP-08-02424
Appellate Case No.: 2016-2339
Claim No.: MPO47044-1008
AR&S No.: 20160.04

Dear Ms. Kitchings:

Please find enclosed the original and two (2) copies of Respondent A.C. & A. Concrete, Inc.'s Notice to Join in Filings and Designation of Matter in the above matter. By copy of this correspondence to all counsel of record, I am advising them of this Notice to Join and Designation of Matter as evidenced by the enclosed Proof of Service. Please contact me should you have any questions.

Sincerely yours,


Shanna Milcetic Stephens

SMS/lp
Enclosure

cc: **VIA EMAIL AND U.S. MAIL**

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