

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM Horry County
Court of Common Pleas

Clifton Newman, Circuit Court Judge

Case No. 2014-CP-26-7634

RECEIVED

OCT 17 2017

SC Court of Appeals

Hartford Fire Insurance Company, Hartford Casualty Insurance Company, Selective Insurance Company of South Carolina, Harleysville Insurance Company, American Empire Surplus Lines Insurance Company, Bitco General Insurance Corporation, Clarendon National Insurance Company as Successor by Merger to Clarendon America Insurance Company, and National Fire & Marine Insurance Company..... Appellants,

Of whom Catalina London LTDis an Intervenor,

v.

The Harbour Cove Condominium Association, Centex Homes, a Nevada General Partnership, Centex Construction Company, Inc., Centex Construction, LLC, Centex-Rooney Construction Co., Inc., Centex-Rodgers, Inc., Balfour Beatty Construction, LLC f/k/a Centex Construction, LLC, Right Way Construction, Inc., Right Way Group, Inc., RWG, Inc., RWGR, Inc., South Carolina State Plastering, LLC, Georgia State Plastering, LLC, Florida State Plastering, LLC, Coastal Drywall, Inc., d/b/a Coastal Plaster Systems, Lundy Dowell d/b/a Coastal Plaster Systems, Martin Masonry, Inc., Roof Doctor of the Carolinas, Inc., Richard Blackwell d/b/a Synthetic Designs, Ferst Plastering, Inc., a/k/a Ferst Exteriors, Inc., Coastal Tinting, Inc., BR Brick & Masonry, Inc., Model Home Interiors, Inc., Gary Hunnell d/b/a Grand Strand Roofing, Steven Bosch d/b/a The Roofer Man, Frank Harris d/b/a Frank Harris Construction, Carl Williamson d/b/a Williamson Construction & Waterproofing, Stock Building Supply, LLC, f/k/a Stock Building Supply, Inc., and Morningstar Consultants, Inc..... Respondents.

NOTICE OF APPEAL

Bitco General Insurance Corporation hereby appeals the Honorable Clifton Newman's Order Denying Motion of Insurers For Limited Intervention, dated October 12, 2017. Appellants received written notice of entry of the order on October 12, 2017.

October 13, 2017

HUNTER & FOSTER, P.A.


Lawrence M. Hunter, Jr, Esquire
Post Office Box 10309
Greenville, South Carolina 29603
864-242-2111

Attorneys for Appellants Bitco General Insurance
Corporation

Other Counsel of Record:

Phillip W. Segui, Jr.
Amanda Blundy
Segui Law Firm
864 Lowcountry Blvd. #A
Mt. Pleasant, SC 29464
Attorneys for Respondent The Harbour Cove Condominium Association
843-884-1865

John T. Chakeris
Chakeris Law Firm
231 Calhoun Street
Charleston SC 29403
Attorneys for Respondent The Harbour Cove Condominium Association
843-853-5678

Shaun W. Cranford
Cranford Law
P.O. Box 50684
Columbia, SC 29250
Attorneys for Respondent The Harbour Cove Condominium Association
803-779-6444

Thomas C. Hildebrand, Jr.
F. Elliotte Quinn, IV, Esquire
Parker Poe Adams & Bernstein, LLP
200 Meeting Street, Suite 301
Charleston SC 29401
Attorneys for Respondents Centex Homes, a Nevada General Partnership; Centex Construction
Company, Inc.; Centex Construction, LLC; Centex-Rooney Construction, Co., Inc.; Centex-Rodgers,
Inc.; Balfour Beatty Construction, LLC, f/k/a Centex Construction, LLC
843-727-2653

Barbara J. Wagner
Barnwell Whaley Patterson & Helms, LLC

288 Meeting Street, Suite 200
Charleston, SC 29401
Attorney for Respondent BR Brick & Masonry, Inc.
843-577-7700

Jonathan J. Anderson
Curt Martin
Anderson Reynolds & Stephens, LLC
P O Box 87
Charleston, SC 29402
Attorneys for Respondent Coastal Plaster Systems, Inc., a/k/a Coastal Plastering Systems, Inc., a/k/a Coastal Plaster, Inc., incorrectly identified as Coastal Drywall d/b/a Coastal Plaster Systems, and Lundy Dowell d/b/a Coastal Plaster Systems
843-723-0185

Shanna M. Stephens
W. Coleman Lawrimore
Anderson Reynolds & Stephens, LLC
P O Box 87
Charleston, SC 29402
Attorneys for Respondent Carolina Drywall & Interiors a/k/a Carolina Drywall Contractors, Inc.
843-723-0185

Theodore L. Manos
Robertson Hollingsworth & Flynn
177 Meeting St., Suite 300
Charleston, SC 29401
Attorney for Respondents South Carolina State Plastering, LLC, Georgia State Plastering, LLC and Florida State Plastering, LLC
843-723-6470

J. Kenneth Carter, Jr.
Turner Padgett Graham & Laney, PA
1901 Main Street, 17th Floor (29201)
P.O. Box 1473
Columbia, SC 29202
Attorney for Respondent Tri-City Insulation and Building Products of Myrtle Beach, Inc.
803-254-2200

Brian E. Wolfe
Clay A. Campbell, Esquire
Baucom Claytor Benton Morgan & Wood
200 Providence Road, Suite 106
Charlotte, NC 28207
Attorney for Respondent Roof Doctor of the Carolinas, Inc.
704-376-6527

E. Glenn Elliott, Jr.
Aiken Bridges Elliott Tyler & Saleeby, PA
181 E. Evans Street, Suite 409
P.O. Drawer 1931
Florence, SC 29503
Attorney for Respondent Gary Hunnell d/b/a Grand Strand Roofing
843-669-8787

Carrie A. Fox
Aiken Bridges Elliott Tyler & Saleeby, PA
181 E. Evans Street, Suite 409
P.O. Drawer 1931
Florence, SC 29503
Attorney for Respondent Morningstar Consultants, Inc.
843-669-8787

Theodore Parker, III
Parker Nelson & Associates
2460 Professional Court, Suite 200
Las Vegas, NV 89128
Attorney for Respondent Stock Building Supply, LLC
843-727-2500

Jacqueline Dixon Phillips
Parker Nelson & Associates
211 King Street, Suite 202
Charleston, SC 29401
Attorney for Respondent Stock Building Supply, LLC
843-727-2500

H. Mark Hamlet
Jessica Soles, Esquire
Hamlet & Associates, PLLC
5215 Junction Park Circle, Suite 202
Wilmington, NC 28412
Attorneys for Respondent Vance Johnson Plumbing Co., Inc.
910-777-5995

G. Troy Thames
Wilson Jones Carter & Baxley, PA
421 Wando Park Boulevard, Suite 100
Mt. Pleasant, SC 29464
Attorneys for Respondent Vance Johnson Plumbing Co., Inc.
843-284-0832

Theodore L. Manos
Robertson Hollingsworth & Flynn, LLC
177 Meeting Street, Suite 300

Charleston, SC 29401

Attorney for Respondents RWG, Inc., RWGR, Inc., Right Way Construction, Inc., Right Way Group, Inc.

843-723-6470

Michael D. Freeman

Griffith Sadler Sharp, PA

600 Monsoon Street

P.O. Box 570

Beaufort, SC 29901

Attorney for Respondent American Residential Services, LLC d/b/a American Residential Services of South Carolina, Inc.

843-521-4242

G. Michael Smith

Thompson & Henry, PA

1300 Second Avenue, 3rd Floor (29526)

Post Office Box 1740

Conway, SC 29528

Attorney for Respondent Dunn Plumbing

843-248-5741

O. Carlisle Edwards, Jr.

McAngus Goudelock & Courie, LLC

P O Box 650007

Mt. Pleasant SC 29465

Attorney for Respondent Cohen's Drywall Company, Inc.

843-534-0101

Michael Barfield

D. Summers Clarke, II

Barnwell Whaley Patterson & Helms, LLC

288 Meeting Street (29401)

Post Office Drawer H

Charleston, SC 29402

Attorneys for Respondent CEMS Engineering, Inc.

843-577-7700

Jeffrey A. Ross

Philip P. Cristaldi

Jeff Ross Law LLC

1100 Queensborough Boulevard, Suite 201

Mt. Pleasant, SC 29464

Attorney for Respondent Martin Masonry, Inc.

843-329-4040

J. Kenneth Carter, Jr.

Turner Padgett Graham & Laney, PA

P O Box 1473
Columbia, SC 29202
Attorney for Respondent Tri-City Insulation and Building Products of Myrtle Beach, Inc.
843-329-4040

Christina Bisset
McAngus Goudelock & Courie, LLC
P O Box 1349
Myrtle Beach, SC 29578
Attorney for Respondent Sunland Fire Protection, Inc.
843-576-2900

Emily R. Gifford
Richardson Plowden & Robinson, PA
P O Drawer 7788
Columbia, SC 29202
Attorney for Respondent Martin Architectural Group, PC
803-771-4400

David S. Black
Howell Gibson & Hughes, PA
P O Box 40
Beaufort, SC 29901
Attorney for Respondent Builders FirstSource-Atlantic Group, LLC
843-522-2400

William E. Lawson
Turner Padgett Graham & Laney PA
P O Box 2116
Myrtle Beach, SC 29578
Attorney for Respondent Air Mechanical, Inc.
843-213-5531

Myra V. Whitener
Parker Nelson & Associates, CHTD
211 King Street, Suite 202
Charleston, SC 29401
Attorney for Respondent Vereen Concrete Co., Inc.
843-727-2500

Mark Hamlet
Jessica A. Soles
Hamlet & Associate, PLLC
5215 Junction Park Circle, Suite 202
Wilmington, NC 28412
Attorney for Respondent Richard Blackwell d/b/a Synthetic Designs
910-777-5995

Michael D. Freeman
Griffith Sharp & Liipfert, LLC
P O Drawer 570
Beaufort, SC 29901-0570
Attorney for Respondent ITP, Inc.
843-521-4242

Tracie Brisson
Wright, Worley, Pope, Ekster & Moss, PLLC
228 North Front St., Suite 101-B
Wilmington, NC 28401
Attorney for Respondent Coastal Drywall, Inc., d/b/a Coastal Plaster Systems and Lundy Dowell d/b/a
Coastal Plaster Systems
843-281-9901.

J. Austin Thomas
Grooms & Thomas, LLC
4420 Oleander Drive, Suite 104
Myrtle Beach, SC 29577
Attorney for Respondent Mike Phillips
843-444-5702

John E. Rogers, II
Ginger Goforth
Ward Law Firm
P O Box 5663
Spartanburg, SC 29304
Attorney for Respondent Ansur America Insurance Co and
JS Elite Flooring
864-591-2366

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

RECEIVED

Clifton Newman, Circuit Court Judge

OCT 17 2017

SC Court of Appeals

Case No. 2014-CP-26-7634

Hartford Fire Insurance Company, Hartford Casualty Insurance Company, Selective Insurance Company of South Carolina, Liberty Mutual Fire Insurance Company, Harleysville Insurance Company, American Empire Surplus Lines Insurance Company, Bitco General Insurance Corporation, Clarendon National Insurance Company as Successor by Merger to Clarendon America Insurance Company, and National Fire & Marine Insurance Company Appellants,

Of whom Catalina London LTD is an Intervenor,

v.

The Harbour Cove Condominium Association, Centex Homes, a Nevada General Partnership, Centex Construction Company, Inc., Centex Construction, LLC, Centex-Rooney Construction Co., Inc., Centex-Rodgers, Inc., Balfour Beatty Construction, LLC f/k/a Centex Construction, LLC, Right Way Construction, Inc., Right Way Group, Inc., RWG, Inc., RWGR, Inc., South Carolina State Plastering, LLC, Georgia State Plastering, LLC, Florida State Plastering, LLC, Coastal Drywall, Inc., d/b/a Coastal Plaster Systems, Lundy Dowell d/b/a Coastal Plaster Systems, Martin Masonry, Inc., Roof Doctor of the Carolinas, Inc., Richard Blackwell d/b/a Synthetic Designs, Ferst Plastering, Inc., a/k/a Ferst Exteriors, Inc., Coastal Tinting, Inc., BR Brick & Masonry, Inc., Model Home Interiors, Inc., Gary Hunnell d/b/a Grand Strand Roofing, Steven Bosch d/b/a The Roofer Man, Frank Harris d/b/a Frank Harris Construction, Carl Williamson d/b/a Williamson Construction & Waterproofing, Stock Building Supply, LLC, f/k/a Stock Building Supply, Inc., and Morningstar Consultants, Inc. Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Respondents by depositing a copy of it in the United States Mail, postage prepaid, on October 13, 2017 addressed to their attorneys of record, listed as follows:

Phillip W. Segui, Jr.
Amanda Blundy
Segui Law Firm

864 Lowcountry Blvd. #A
Mt. Pleasant, SC 29464
Attorneys for Respondent The Harbour Cove Condominium Association

John T. Chakeris
Chakeris Law Firm
231 Calhoun Street
Charleston SC 29403
Attorneys for Respondent The Harbour Cove Condominium Association

Shaun W. Cranford
Cranford Law
P.O. Box 50684
Columbia, SC 29250
Attorneys for Respondent The Harbour Cove Condominium Association

Thomas C. Hildebrand, Jr.
F. Elliotte Quinn, IV, Esquire
Parker Poe Adams & Bernstein, LLP
200 Meeting Street, Suite 301
Charleston SC 29401
Attorneys for Respondents Centex Homes, a Nevada General Partnership; Centex Construction Company, Inc.; Centex Construction, LLC; Centex-Rooney Construction, Co., Inc.; Centex-Rodgers, Inc.; Balfour Beatty Construction, LLC, f/k/a Centex Construction, LLC

Barbara J. Wagner
Barnwell Whaley Patterson & Helms, LLC
288 Meeting Street, Suite 200
Charleston, SC 29401
Attorney for Respondent BR Brick & Masonry, Inc.

Jonathan J. Anderson
Curt Martin
Anderson Reynolds & Stephens, LLC
P O Box 87
Charleston, SC 29402
Attorneys for Respondent Coastal Plaster Systems, Inc., a/k/a Coastal Plastering Systems, Inc., a/k/a Coastal Plaster, Inc., incorrectly identified as Coastal Drywall d/b/a Coastal Plaster Systems, and Lundy Dowell d/b/a Coastal Plaster Systems

Shanna M. Stephens
W. Coleman Lawrimore
Anderson Reynolds & Stephens, LLC
P O Box 87
Charleston, SC 29402
Attorneys for Respondent Carolina Drywall & Interiors a/k/a Carolina Drywall Contractors, Inc.

Theodore L. Manos

Robertson Hollingsworth & Flynn
177 Meeting St., Suite 300
Charleston, SC 29401

Attorney for Respondents South Carolina State Plastering, LLC, Georgia State Plastering, LLC
and Florida State Plastering, LLC

J. Kenneth Carter, Jr.
Turner Padgett Graham & Laney, PA
1901 Main Street, 17th Floor (29201)
P.O. Box 1473
Columbia, SC 29202

Attorney for Respondent Tri-City Insulation and Building Products of Myrtle Beach, Inc.

Brian E. Wolfe
Clay A. Campbell, Esquire
Baucom Claytor Benton Morgan & Wood
200 Providence Road, Suite 106
Charlotte, NC 28207
Attorney for Respondent Roof Doctor of the Carolinas, Inc.

E. Glenn Elliott, Jr.
Aiken Bridges Elliott Tyler & Saleeby, PA
181 E. Evans Street, Suite 409
P.O. Drawer 1931
Florence, SC 29503
Attorney for Respondent Gary Hunnell d/b/a Grand Strand Roofing

Carrie A. Fox
Aiken Bridges Elliott Tyler & Saleeby, PA
181 E. Evans Street, Suite 409
P.O. Drawer 1931
Florence, SC 29503
Attorney for Respondent Morningstar Consultants, Inc.

Theodore Parker, III
Parker Nelson & Associates
2460 Professional Court, Suite 200
Las Vegas, NV 89128
Attorney for Respondent Stock Building Supply, LLC

Jacqueline Dixon Phillips
Parker Nelson & Associates
211 King Street, Suite 202
Charleston, SC 29401
Attorney for Respondent Stock Building Supply, LLC

H. Mark Hamlet
Jessica Soles, Esquire

Hamlet & Associates, PLLC
5215 Junction Park Circle, Suite 202
Wilmington, NC 28412
Attorneys for Respondent Vance Johnson Plumbing Co., Inc.

G. Troy Thames
Wilson Jones Carter & Baxley, PA
421 Wando Park Boulevard, Suite 100
Mt. Pleasant, SC 29464
Attorneys for Respondent Vance Johnson Plumbing Co., Inc.

Theodore L. Manos
Robertson Hollingsworth & Flynn, LLC
177 Meeting Street, Suite 300
Charleston, SC 29401
Attorney for Respondents RWG, Inc., RWGR, Inc., Right Way Construction, Inc., Right Way Group, Inc.

Michael D. Freeman
Griffith Sadler Sharp, PA
600 Monsoon Street
P.O. Box 570
Beaufort, SC 29901
Attorney for Respondent American Residential Services, LLC d/b/a American Residential Services of South Carolina, Inc.

G. Michael Smith
Thompson & Henry, PA
1300 Second Avenue, 3rd Floor (29526)
Post Office Box 1740
Conway, SC 29528
Attorney for Respondent Dunn Plumbing

O. Carlisle Edwards, Jr.
McAngus Goudelock & Courie, LLC
P O Box 650007
Mt. Pleasant SC 29465
Attorney for Respondent Cohen's Drywall Company, Inc.

Michael Barfield
D. Summers Clarke, II
Barnwell Whaley Patterson & Helms, LLC
288 Meeting Street (29401)
Post Office Drawer H
Charleston, SC 29402
Attorneys for Respondent CEMS Engineering, Inc.

Jeffrey A. Ross

Philip P. Cristaldi
Jeff Ross Law LLC
1100 Queensborough Boulevard, Suite 201
Mt. Pleasant, SC 29464
Attorney for Respondent Martin Masonry, Inc.

J. Kenneth Carter, Jr.
Turner Padget Graham & Laney, PA
P O Box 1473
Columbia, SC 29202
Attorney for Respondent Tri-City Insulation and Building Products of Myrtle Beach, Inc.

Christina Bisset
McAngus Goudelock & Courie, LLC
P O Box 1349
Myrtle Beach, SC 29578
Attorney for Respondent Sunland Fire Protection, Inc.

Emily R. Gifford
Richardson Plowden & Robinson, PA
P O Drawer 7788
Columbia, SC 29202
Attorney for Respondent Martin Architectural Group, PC

David S. Black
Howell Gibson & Hughes, PA
P O Box 40
Beaufort, SC 29901
Attorney for Respondent Builders FirstSource-Atlantic Group, LLC

William E. Lawson
Turner Padget Graham & Laney PA
P O Box 2116
Myrtle Beach, SC 29578
Attorney for Respondent Air Mechanical, Inc.

Myra V. Whitener
Parker Nelson & Associates, CHTD
211 King Street, Suite 202
Charleston, SC 29401
Attorney for Respondent Vereen Concrete Co., Inc.

Mark Hamlet
Jessica A. Soles
Hamlet & Associate, PLLC
5215 Junction Park Circle, Suite 202
Wilmington, NC 28412
Attorney for Respondent Richard Blackwell d/b/a Synthetic Designs

Michael D. Freeman
Griffith Sharp & Liipfert, LLC
P O Drawer 570
Beaufort, SC 29901-0570
Attorney for Respondent ITP, Inc.

Tracie Brisson
Wright, Worley, Pope, Ekster & Moss, PLLC
228 North Front St., Suite 101-B
Wilmington, NC 28401
Attorney for Respondent Coastal Drywall, Inc., d/b/a Coastal Plaster Systems and Lundy Dowell
d/b/a Coastal Plaster Systems

J. Austin Thomas
Grooms & Thomas, LLC
4420 Oleander Drive, Suite 104
Myrtle Beach, SC 29577
Attorney for Respondent Mike Phillips

John E. Rogers, II
Ginger Goforth
Ward Law Firm
P O Box 5663
Spartanburg, SC 29304
Attorney for Respondent Ansur America Insurance Co and JS Elite Flooring

October 13, 2017

HUNTER & FOSTER, P.A.



Lawrence M. Hunter, Jr, Esquire
Post Office Box 10309
Greenville, South Carolina 29603
864-242-2111

Attorneys for Appellants Bitco General Insurance
Corporation

HUNTER & FOSTER, P.A.

Attorneys At Law

POST OFFICE BOX 10309
GREENVILLE, SOUTH CAROLINA 29603
TELEPHONE (864) 242-2111
FACSIMILE (864) 752-1222

LAWRENCE M. HUNTER, JR., P.C.
LEE BRELAND FOSTER

INTERNET: WWW.HUNTERFOSTER.COM
EMAIL: Lawrence@HunterFoster.com

October 13, 2017

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

RECEIVED
OCT 17 2017
SC Court of Appeals

Re: ***The Harbour Cove Condominium Association v. Centex Homes, a Nevada
General Partnership et al.***
C.A. No.: 2014-CP-26-7634

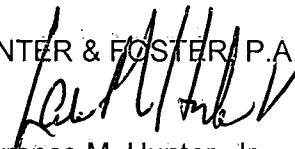
Dear Ms. Kitchings:

Please find enclosed the original and one copy of a Notice of Appeal in regard to the above-referenced matter. We would ask that you file the original and return a clocked copy to us in the self-addressed, stamped envelope enclosed. Also enclosed is our check for the filing fee in the amount of \$100.00.

By copy of this letter to counsel of record, we are serving them with a copy of this notice.

With highest regards,

HUNTER & FOSTER, P.A.


Lawrence M. Hunter, Jr.

LMH/abs

Enclosures

cc: Phillip W. Segui, Jr.
John T. Chakeris
Shaun W. Cranford
Thomas C. Hildebrand, Jr.
Barbara J. Wagner
Jonathan J. Anderson
Shanna M. Stephens
Theodore L. Manos
J. Kenneth Carter, Jr.
Brian E. Wolfe
E. Glenn Elliott, Jr.
Carrie A. Fox
Theodore Parker, III

The Honorable Jenny Abbott Kitchings

October 13, 2017

Page 2 of 2

Jacqueline Dixon Phillips

H. Mark Hamlet

G. Troy Thames

Michael D. Freeman

G. Michael Smith

O. Carlisle Edwards, Jr.

Michael Barfield

Jeffrey A. Ross

J. Kenneth Carter, Jr.

Christina Bisset

Emily R. Gifford

David S. Black

William E. Lawson

Myra V. Whitener

Mark Hamlet

Michael D. Freeman

Tracie Brisson

J. Austin Thomas

John E. Rogers, II

Hunter & Foster PA
PO Box 10309
Greenville SC 29603

\$2.87⁰
US POSTAGE
FIRST-CLASS

071V00571135
29603
000007945



\$1.82⁰
US POSTAGE
FIRST-CLASS

071V00571135
29603
000007981



First Class Mail

RECEIVED
OCT 17 2017
SC Court of Appeals



The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211