

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2013-CP-10-03326  
Appellate Case No. 2017-000474

**RECEIVED**  
OCT 19 2017  
SC Court of Appeals

Ex Parte:

Liberty Mutual Fire Insurance Company, Appellant.

v.

In Re:

Waverly at Hamlin Plantation Townhome Association, Inc., Respondent,

v.

John Wieland Homes and  
Neighborhoods of the Carolinas, Inc. as  
Successor by Statutory Merger to John  
Wieland Homes and Neighborhoods of  
South Carolina, Inc., John Wieland  
Homes of Charleston, Inc., John Wieland  
Homes, Inc., Builders Support Services  
of the Carolinas, Inc. and Wheelock  
Street Capital, LLC d/b/a John Wieland  
Homes and Neighborhoods, Inc. Respondents,

and

John Wieland Homes and Neighborhoods of  
the Carolinas, Inc. as Successor by Statutory  
Merger to John Wieland Homes and  
Neighborhoods of South Carolina, Inc., John  
Wieland Homes of Charleston, Inc., John  
Wieland Homes, Inc., Builders Support Respondents,

Services of the Carolinas, Inc.

v.

Barr Construction, Inc., Benjamin Mora  
d/b/a Mora Construction, a/k/a Benjamin  
Mora Construction, LLC, Builders  
FirstSource-Atlantic Group, LLC, DBC  
Construction Services, LLC, Eli, Inc.,  
Gerardo Rosette Sanchez a/k/a JMC  
Construction, Inc., Jesus Mora a/k/a J.  
Mora Brick and Block Mason, LLC,  
Juan Luis Sanchez, Juan Luis Sanchez  
a/k/a Sanchez Brothers Painting,  
Latitude Construction Services, LLC, the  
Muhler Company, Inc., Paul M.  
Vasquez, Richard Ditullio, Richard  
Ditullio a/k/a RDT Contracting, LLC

Respondents,

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DESIGNATION OF MATTER OF RESPONDENT WAVERLY AT HAMLIN PLANTATION  
TOWNHOME ASSOCIATION, INC.,

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Pursuant to Rule 209, SCACR, Respondent Waverly at Hamlin Plantation Townhome Association, Inc. designates the following material for inclusion in the record on appeal. Undersigned counsel certifies, pursuant to Rule 209(c), SCACR, that the designation contains no matter which is irrelevant to this appeal.

**Orders**

1. Order Denying Liberty Mutual's Motion for Limited Intervention, Filed February 6, 2017.

**Pleadings**

2. Answer and Third Party Complaint, filed April 17, 2014.
3. Plaintiff's Complaint, filed June 6, 2013.

**Motions, Supporting Memoranda, & Other Filings**

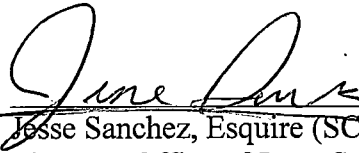
4. Defendants' Memorandum in Opposition to Liberty Mutual's Second Motion for Limited Intervention, filed January 23, 2017.

5. Liberty Mutual's Second Motion for Limited Intervention, filed January 19, 2017

**Transcripts**

6. Transcript of Hearing on Liberty Mutual's Second Motion for Limited Intervention, dated January 23, 2017.

Respectfully submitted,



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AT HAMLIN PLANTATION TOWNHOME  
ASSOCIATION, INC.,***

Charleston, South Carolina

October 16, 2017

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John Wieland Homes and Neighborhoods of the  
Carolinas, Inc. as Successor by Statutory Merger  
to John Wieland Homes and Neighborhoods of  
South Carolina, Inc., John Wieland Homes of  
Charleston, Inc., John Wieland Homes, Inc.,  
Builders Support Services of the Carolinas, Inc.  
and Wheelock Street Capital, LLC d/b/a John  
Wieland Homes and Neighborhoods, Inc.

Respondents,

and

John Wieland Homes and Neighborhoods of the  
Carolinas, Inc. as Successor by Statutory Merger  
to John Wieland Homes and Neighborhoods of  
South Carolina, Inc., John Wieland Homes of  
Charleston, Inc., John Wieland Homes, Inc.,  
Builders Support Services of the Carolinas, Inc.

Respondents,

v.

Barr Construction, Inc., Benjamin Mora d/b/a  
Mora Construction, a/k/a Benjamin Mora  
Construction, LLC, Builders FirstSource-  
Atlantic Group, LLC, DBC Construction  
Services, LLC, Eli, Inc., Gerardo Rosette  
Sanchez a/k/a JMC Construction, Inc., Jesus  
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a/k/a Sanchez Brothers Painting, Latitude  
Construction Services, LLC, the Muhler  
Company, Inc., Paul M. Vasquez, Richard  
Ditullio, Richard Ditullio a/k/a RDT  
Contracting, LLC

Respondents,

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PROOF OF SERVICE

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I, the undersigned, certify that I have served the Initial Brief of Respondent Waverly at Hamlin Plantation Townhome Association, Inc. and Designation of Matter to the attorneys of record by depositing a copy of it in the United States Mail on October 16, 2017 addressed to the following:

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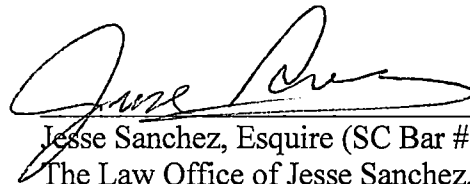
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**ATTORNEY FOR RESPONDENT WAVERLY  
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ASSOCIATION, INC.,**

Charleston, South Carolina

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SC Court of Appeals

October 16, 2017

VIA U.S. MAIL

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

Re: Ex Parte: Liberty Mutual (Waverly at Hamlin v. John Wieland Homes, et al.)  
Appellate Case No. 2017-000474; Trial Court Case No. 2013CP1003326

Dear Ms. Kitchings,

Enclosed please find the original and one copy of the Initial Brief of Respondent Waverly at Hamlin Plantation Townhome Association, Inc., the Designation of Matter to be Included in the Record on Appeal, and Proof of Service.

Thank you for your assistance with this matter. Should you have any questions or, please do not hesitate to contact me directly at 843-814-8181.

Sincerely,

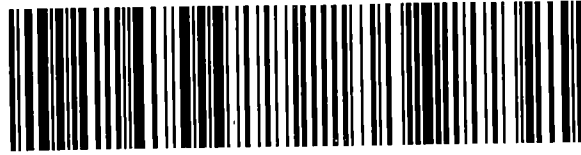
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Cc: All Counsel of Record

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