

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Clifton Newman, Circuit Court Judge
Case No. 2014-CP-26-06573

APPELLATE CASE NO: 2017-002146

RECEIVED

OCT 31 2017

SC Court of Appeals

Hartford Fire Insurance Company, Hartford Casualty
Insurance Company, Hartford Underwriters Insurance
Company, Canopus US Insurance Inc., and Selective
Insurance Company of South Carolina, Appellants,

v.

Beach Villas at Ocean Keyes Property Owners
Association, Inc., Ocean Keyes Development, LLC,
Keye Construction Co., Inc., Russell P. Baltzer, First
Exteriors, LLC, Carefree Exteriors, Inc., Coastal Stucco
Inc., Richard H. Construction, LLC a/k/a Ricardo
Hernandez d/b/a Richard Framing Con. Inc., Builders
FirstSource-Southeast Group, LLC, Innovative Steel
Technologies Steel Homes International, Inc.,
Renaissance Steel Installation, LLC n/k/a Renaissance
Steel, LLC, Benchmark Steel Service, LLC and Dietrich
Building System n/k/a Clarkwestern Dietrich Building
Systems, LLC, Respondents.

Notice of Appeal

Selective Insurance Company of South Carolina ("Appellant") hereby appeals the Order Denying the Motion of Insurers for Limited Intervention in the above captioned action dated October 11, 2017, and filed October 12, 2017, attached as Exhibit A.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Robert C. Calamari
SC Bar No. 064985
E-Mail: bob.calamari@nelsonmullins.com
3751 Robert M. Grissom Parkway / Suite 300
Post Office Box 3939 (29578-3939)
Myrtle Beach, SC 29577-3165
(843) 448-3500

Attorneys for Appellant Selective Insurance Company of South Carolina

Myrtle Beach, South Carolina
October 30, 2017

Other Counsel of Record:

Attorneys for Beach Villas at Ocean Keys Property Owners Association, Inc.

Robert L. Wylie, IV, Esquire
Lauren M. Thomas, Esquire
MULLEN WYLIE
PO Box 1980
Myrtle Beach, SC 29568
rwylie@mullenwylie.com
lthomas@mullenwylie.com

James E. Lady, Esquire
MULLEN WYLIE
171 Church Street, Suite 370
Charleston, SC 29401
jlady@mullenwylie.com

Preston Britain, Esquire
The Brittain Law Firm, PA
4614 Oleander Drive
Myrtle Beach, SC 29577
preston@brittainlawfirm.com

Attorneys for Defendants/Third-Party Plaintiffs Ocean Keyes Development, LLC and Keye Construction, Co. Inc.

Dominic A. Starr, Esquire
Alan C. Jones, Esquire
J. Christopher Clark, Esquire
MCANGUS GOUDELOCK & COURIE LLC
PO Box 1349
Myrtle Beach, SC 29578-1349
Dominic.starr@mgclaw.com
Alan.jones@mgclaw.com
Chris.clark@mgclaw.com

Attorneys for Ocean Keyes Development, LLC

Patrick J. McDonald, Esquire
N. Keith Emge, Jr., Esquire
RESNICK & LOUIS PC
234 Seven Farms Drive, Suite 128
Charleston, SC 29492
pmdonald@rlattorneys.com
cemge@rlattorneys.com

Attorneys for Russell P. Baltzer

Robert T. Lyles, Esquire
Joseph K. Cunningham, Esquire
LYLES & LYLES LLC
PO Box 773
Charleston, SC 29402
rtl@lylesfirm.com
jkc@lylesfirm.com

Attorneys for First Exteriors, LLC

James H. Elliott, Jr. Esquire
F. Heyward Grimball, Esquire
RICHARDSON PLOWDEN & ROBINSON PA
PO Box 21203

Charleston, SC 29413
jelliott@richardsonplowden.com
fhgrimball@richardsonplowden.com

Attorney for Carefree Exteriors, Inc.

G. Michael Smith, Esquire
THOMPSON & HENRY PA
PO Box 1740
Conway, SC 29528
msmith@thompsonlaw.com

Attorneys for Coastal Stucco, Inc.

Jeffrey A. Ross, Esquire
Edwin A. Anglin, Esquire
Philip P. Cristaldi, Esquire
Jeff Ross Law LLC
1100 Queensborough Blvd., Suite 201
Mount Pleasant, SC 29464
jross@jeffrosslaw.com
eanglin@jeffrosslaw.com
pcristaldi@jeffrosslaw.com

*Attorneys for Carefree Exteriors, Inc., First Exteriors, LLC, Innovative Steel Technologies
Steel Homes International, Inc., Total Construction, LLC Richard H. Construction, LLC
a/k/a Ricardo Hernandez d/b/a Richard Framing Construction*

Kevin M. O'Brien, Esquire
Phelps Dunbar LLP
GlenLake One
4140 ParkLake Avenue, Suite 100
Raleigh, NC 27612
Kevin.obrien@phelps.com

J. David Banner, Esquire
Aiken Bridges Elliott Tyler & Saleeby PA
PO Box 1931
Florence, SC 29503
jbd@aikenbridges.com

Attorneys for Dietrich Building Systems n/k/a ClarkWestern Dietrich Building Systems LLC

James L. Werner, Esquire
Katon E. Dawson, Jr., Esquire
Parker Poe Adams & Bernstein LLP
1221 Main Street, Suite 1100
Columbia, SC 29201
jimwerner@parkerpoe.com
katondawson@parkerpoe.com

Attorney for Builders FirstSource-Southeast Group LLC

David S. Black, Esquire
Howell Gibson & Hughes PA
PO Box 40
Beaufort, SC 29901
dblack@hgpa.cpm

Attorney for Hartford Casualty Insurance Company and Hartford Fire Insurance Company

Christy E. Mahon, Esquire
Sweeny Wingate & Barrow, PA
PO Box 12129
Columbia, SC 29211
cem@swblaw.com

Attorney for Canopus US Insurance, Inc.

Peter H. Dworjanyn, Esquire
Collins & Lacy, PC
PO Box 12487
Columbia, SC 29211
pdworjanyn@collinsandlacy.com

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM Horry County
Court of Common Pleas

The Honorable Clifton Newman, Circuit Court Judge
Case No. 2014-CP-26-06573

APPELLATE CASE NO: 2017-002146

RECEIVED
OCT 31 2017
SC Court of Appeals

Hartford Fire Insurance Company, Hartford Casualty
Insurance Company, Hartford Underwriters Insurance
Company, Canopus US Insurance Inc., and Selective
Insurance Company of South Carolina Appellants,

v.

Beach Villas at Ocean Keys Property Owners
Association, Inc., Ocean Keys Development, LLC,
Keye Construction Co., Inc., Russell P. Baltzer, First
Exteriors, LLC, Carefree Exteriors, Inc., Coastal Stucco
Inc., Richard H. Construction, LLC a/k/a Ricardo
Hernandez d/b/a Richard Framing Con. Inc., Builders
FirstSource-Southeast Group, LLC, Innovative Steel
Technologies Steel Homes International, Inc.,
Renaissance Steel Installation, LLC n/k/a Renaissance
Steel, LLC, Benchmark Steel Service, LLC and Dietrich
Building System n/k/a Clarkwestern Dietrich Building
Systems, LLC,..... Respondents,

Proof of Service

I, the undersigned attorney of the law offices of Nelson Mullins Riley & Scarborough, LLP, attorneys for Selective Insurance Company of South Carolina, do hereby certify that I have ensured the service on all counsel in this action with copies of Appellant Selective Insurance Company of South Carolina's Notice of Appeal to the following address(es) via US Mail:

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Robert C. Calamari
SC Bar No. 064985
E-Mail: bob.calamari@nelsonmullins.com
3751 Robert M. Grissom Parkway / Suite 300
Post Office Box 3939 (29578-3939)
Myrtle Beach, SC 29577-3165
(843) 448-3500

Attorneys for Appellant Selective Insurance Company of South Carolina

Myrtle Beach, South Carolina
October 30, 2017

Other Counsel of Record:

Attorneys for Beach Villas at Ocean Keyes Property Owners Association, Inc.

Robert L. Wylie, IV, Esquire
Lauren M. Thomas, Esquire
MULLEN WYLIE
PO Box 1980
Myrtle Beach, SC 29568
rwylie@mullenwylie.com
lthomas@mullenwylie.com

James E. Lady, Esquire
MULLEN WYLIE
171 Church Street, Suite 370
Charleston, SC 29401
jlady@mullenwylie.com

Preston Britain, Esquire
The Brittain Law Firm, PA
4614 Oleander Drive
Myrtle Beach, SC 29577
preston@brittainlawfirm.com

Attorneys for Ocean Keyes Development, LLC and Keye Construction, Co. Inc.

Dominic A. Starr, Esquire
Alan C. Jones, Esquire
J. Christopher Clark, Esquire
MCANGUS GOUELOCK & COURIE LLC
PO Box 1349
Myrtle Beach, SC 29578-1349
Dominic.starr@mgclaw.com
Alan.jones@mgclaw.com
Chris.clark@mgclaw.com

Attorneys for Ocean Keyes Development, LLC

Patrick J. McDonald, Esquire
N. Keith Emge, Jr., Esquire
RESNICK & LOUIS PC
234 Seven Farms Drive, Suite 128
Charleston, SC 29492
pmdonald@rlattorneys.com
cemge@rlattorneys.com

Attorneys for Russell P. Baltzer

Robert T. Lyles, Esquire
Joseph K. Cunningham, Esquire
LYLES & LYLES LLC
PO Box 773
Charleston, SC 29402
rtl@lylesfirm.com
jkc@lylesfirm.com

Attorneys for First Exteriors, LLC

James H. Elliott, Jr. Esquire
F. Heyward Grimball, Esquire
RICHARDSON PLOWDEN & ROBINSON PA
PO Box 21203

Charleston, SC 29413
jelliott@richardsonplowden.com
fhgrimball@richardsonplowden.com

Attorney for Carefree Exteriors, Inc.

G. Michael Smith, Esquire
THOMPSON & HENRY PA
PO Box 1740
Conway, SC 29528
msmith@thompsonlaw.com

Attorneys for Coastal Stucco, Inc.

Jeffrey A. Ross, Esquire
Edwin A. Anglin, Esquire
Philip P. Cristaldi, Esquire
Jeff Ross Law LLC
1100 Queensborough Blvd., Suite 201
Mount Pleasant, SC 29464
jross@jeffrosslaw.com
eanglin@jeffrosslaw.com
pcristaldi@jeffrosslaw.com

*Attorneys for Steel Technologies Steel Homes International, Inc., Total Construction, LLC
Richard H. Construction, LLC a/k/a Ricardo Hernandez d/b/a Richard Framing
Construction*

Kevin M. O'Brien, Esquire
Phelps Dunbar LLP
GlenLake One
4140 ParkLake Avenue, Suite 100
Raleigh, NC 27612
Kevin.obrien@phelps.com

J. David Banner, Esquire
Aiken Bridges Elliott Tyler & Saleeby PA
PO Box 1931
Florence, SC 29503
jbd@aikenbridges.com

Attorneys for Dietrich Building Systems n/k/a ClarkWestern Dietrich Building Systems LLC

James L. Werner, Esquire
Katon E. Dawson, Jr., Esquire
Parker Poe Adams & Bernstein LLP
1221 Main Street, Suite 1100
Columbia, SC 29201
jimwerner@parkerpoe.com
katondawson@parkerpoe.com

Attorney for Builders FirstSource-Southeast Group LLC

David S. Black, Esquire
Howell Gibson & Hughes PA
PO Box 40
Beaufort, SC 29901
dblack@hghpa.cpm

Attorney for Hartford Casualty Insurance Company and Hartford Fire Insurance Company

Christy E. Mahon, Esquire
Sweeny Wingate & Barrow, PA
PO Box 12129
Columbia, SC 29211
cem@swblaw.com

Attorney for Canopus US Insurance, Inc.

Peter H. Dworjanyn, Esquire
Collins & Lacy, PC
PO Box 12487
Columbia, SC 29211
pdworjanyn@collinsandlacy.com



NELSON MULLINS

Robert C. Calamari
T 843.946.5660
bob.calamari@nelsonmullins.com

NELSON MULLINS RILEY & SCARBOROUGH LLP
ATTORNEYS AND COUNSELORS AT LAW

3751 Robert M. Grissom Parkway | Suite 300
Myrtle Beach, SC 29577-6412
T 843.448.3500 F 843.448.3437
nelsonmullins.com

October 30, 2017

RECEIVED
OCT 31 2017
SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO BO 11629
Columbia, SC 29211

RE: Beach Villas at Ocean Keyes Property Owners Association, Inc. v. Ocean
Keyes Development, LLC et al.
Civil Action No.: 2014-CP26-06573
Appellate Case No.: 2017-002146
NMRS File No.: 32161.01509

Dear Ms. Kitchings:

Enclosed please find 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-in
copy to us via the enclosed self-addressed, pre-paid envelope. Also enclosed is our
check in the amount of \$100.00 as the required filing fee.

By copy of this letter to counsel of record, we are serving them with a copy of this
notice. Please contact me should you have any questions.

Very truly yours,

Robert C. Calamari

RCC:dp
Enclosures
cc: All Counsel of Record

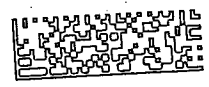
FIRST-CLASS MAIL

Hasler

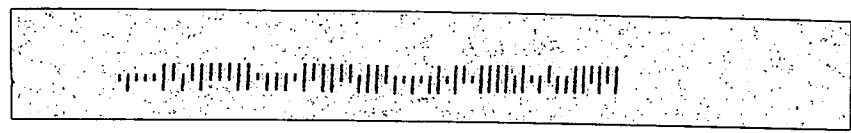
10/30/2017

US POSTAGE

\$02.45⁰



ZIP 29577
011D11645520



NELSON MULLINS

Post Office Box 3939

Myrtle Beach, SC 29578-3939

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO BO 11629
Columbia, SC 29211

RECEIVED
OCT 31 2017
SC Court of Appeals