

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

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

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

RECEIVED

SEP 28 2017

SC Court of Appeals

Patricia Damico, and Lenna Lucas, Individually and on behalf of all other similarly situated, Joshua and Brittany 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,

Respondent

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, Inc. and Rick Bryant,

Of which Lennar Carolinas, LLC is

Appellant

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, Inc. are

Lennar Carolinas, LLC

Appellant

v.

The Earthworkers Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A. Concrete, Inc., Knight's 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-Southwest Group, LLC and Low Country Renovations and Siding, LLP,

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

Respondents.

AMENDED PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below he served counsel with a copy of Motion for Leave by mailing a copy of the same by United States Mail with first class postage prepaid to the following:

John C. Hayes, IV, Esquire
Mary-Margaret F. Noland, Esquire Hayes Law Firm, LLC
180 Meeting Street, Suite 330
Charleston, SC 20401

-and-

Michael J. Jordan, Esquire Catherine K. Dunn, Esquire
The Steinberg Law Firm, LLP
P.O. Box 1028
Goose Creek, SC 29445

Attorneys for Plaintiff

Robert Trippett Boineau, III, Esquire Heath McAlvin Stewart, III, Esquire
McAngus Goudelock Courie
PO Box 12519
Columbia, SC 29211

Attorneys for Spring Grove Plantation Development Inc.

David S. Black, Esquire
Howell, Gibson and Hughes, PA
P.O. Box 40 Beaufort, SC 29901

Attorneys for TJB Trucking/Leasing, LLC

R. Patrick Flynn, Esquire Michael E. Wright, Esquire
Robertson Hollingsworth & Flynn
Wells Fargo Center
550 King Street, Suite 300

Charleston, SC 29403

Attorneys for Super Concrete of SC, Inc.

N. Keith Emge, Jr, Esquire Kathy A. Carlsten, Esquire Carlock

Copeland

40 Calhoun Street, Suite 400

Charleston, SC 29401

Attorney for Civil Site Environmental, Inc.

Erin D. Dean, Esquire

Tupper, Grimsley & Dean, P.A.

Post Office Box 2055

Beaufort, South Carolina 29901-2055

Attorney for LA New Enterprises, LLC and Raul Martinez Masonry, LLC

Brent M. Boyd, Esq. Murphy & Grantland, P.A. 4406-B Forest Drive
(29260)

P.O. Box 6648 Columbia, SC 29260

***Attorney for Coastal Concrete Southeast, LLC and Coastal Concrete
Southeast II, LLC***

Bachman S. Smith, IV, Esquire

Haynsworth Sinkler Boyd, PA

P.O. Box 340

Charleston, SC 29402-0340

***Attorneys for Southern Green, Inc., Southern Green Consulting
Services, LLC***

Samia H. Nettles, Esquire

Richardson Plowden & Robinson PA

171 Church Street, Suite 150

Charleston, SC 29401

Attorneys for Decor Corporation

Emily R. Gifford, Esquire

Richardson Plowden & Robinson, PA

1900 Barnwell Street

P.O. Drawer 7788 Columbia, SC 29202

Attorney for Geometrics Consulting Services, LLC

Ronald G. Tate, Jr., Esquire

R. Batten Farrar, Esquire

Gallivan, White & Boyd, P.A.

P.O. Box 10589

Greenville, South Carolina 29603
Attorney for Volkmar Consulting Services, LLC

Jenny C. Honeycutt, Esquire
Best Honeycutt, PA
PO Box 13466
Charleston, SC 29422
Attorney for South Carolina Exteriors, LLC

Alan R. Belcher, Jr., Esquire Derek Newberry, Esquire Hall
Booth Smith, P.C.
40 Calhoun Street, Suite 550
Charleston, SC 29401
-and-
Christine C. Varnado, Esquire
The Siebels Law Firm
38 Broad Street, Suite 200
Charleston, SC 29401
Attorney for Guaranteed Framing, LLC

John M. Grantland, Esquire Rogers E. Harrell, III, Esquire Murphy &
Grantland, PA 4406-B Forest Drive (29260)
P.O. Box 6648 Columbia, SC 29260
Attorney for Isidro Mejia

Christopher Adams, Esquire
Collins & Lacy
PO Box 12487
Columbia, South Carolina 29211
Attorneys for Unique Framing, LLC

Shanna Milcetic Stephens, Esq. Katherine C. Miars, Esq.
Anderson Reynolds & Stephens, LLC
PO Box 87
Charleston, South Carolina 29402
Attorneys for A.C.&A. Concrete, Inc.

Thomas F. Dougall, Esq. William A. Collins, Jr., Esq. Dougall & Collins
1700 Woodcreek Farms Road, Suite 100
Elgin, South Carolina 29045
Attorneys for Ozzy Construction, LLC

Michal Kalwajtys, Esquire
Dougall & Collins
1700 Woodcreek Farms Road, Suite 100

Elgin, SC 29045

Attorney for Baranov Flooring, LLC, Juan Garza Ramos

S. Markey Stubbs, Esq.

Baker, Ravenel & Bender, LLP

3710 Landmark Drive, Suite 400

P.O. Box 8057

Columbia, South Carolina, 29202

Attorney for DVC, Inc.

Steven L. Smith Zachary J. Closser Samuel M. Wheeler

Smith Closser, P.A.

P.O. Box 405878 Charleston, SC 29423-0578

**Attorneys for Knight's Concrete Products, Inc. and Knight's Redi-Mix, Inc.
and Paragon Sitework Constructors, Inc.**

John E. Rogers, II, Esquire

The Ward Law Finn, P.A.

P.O. Box 5663 Spartanburg, SC 29304

Attorney for Land/Site Services, Inc.

Jenna K. McGee, Esq. Elliotte Quinn, Esq.

Parker Poe Adams & Bernstein, LLP 200 Meeting Street, Suite 301

Charleston, South Carolina 29401

-and-

James Lynn Werner, Esquire

Parker Poe Adams & Bernstein, LLP

1221 Main Street, Suite 1100

Columbia, SC 29201 Attorney for Lennar

Attorneys for Lennar Carolinas, LLC

Robert Batten Farrar, Esquire Ronald G. Tate, Jr., Esquire Gallivan

White & Boyd, PA

P.O. Box 10589 Greenville, SC 29603

Attorneys for Southern Green Consulting Services, LLC

Sarah L. Fragale, Esquire

Turner Padgett Graham & Laney, PA

P.O. Box 22129 Charleston, SC 29413

Attorney for Espino Roofing, LLC

Tommy Boger, Esquire

Wall Templeton

PO Box 1200

Charleston, South Carolina 29402
Attorneys for First Construction, LLC

William W. Watkins, Jr., Esquire Stephanie G. Brown, Esquire Wall
Templeton Haldrup, PA 145 King Street, Suite 300
Charleston, SC 29401
**Attorney for Italiaia Construction, LLC, Lima Construction, LLC and
N&B Construction, LLC**

Edward & Sylvia Dengg 238 Maywood Drive Moncks Corner, SC
29461
Pro Se

David S. Cobb, Esq.
Turner Padgett Graham & Laney, PA
P.O. Box 22129 Charleston, SC 29413
-and-
Patrick J. McDonald, Esq.
Resnick & Louis, PC
234 Seven Farms Drive, Suite 128
Charleston, SC 29492
Attorney for Construction Applicators Charleston, LLC

K. Michael Barfield, Esquire
D. Summers Clark, II, Esquire
Barnwell Whaley Patterson & Helms
P.O. Drawer H Charleston, SC 29402
Attorney for Tite Earthworks Group, Inc.

Steven W. Ouzts, Esquire Joshua D. Shaw, Esquire
Turner Padgett Graham & Laney, P.A.
POB 1473
Columbia, SC 29202
Attorney for CEBS Construction

Anthony & Stacy Ray
107 Lock Circle
Hampton, VA 23669
Pro Se

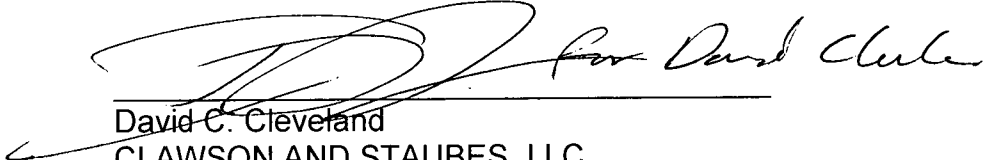
Stephen L. Brown, Esquire Catherine H. Chase, Esquire Young
Clements Rivers, LLP 25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
-and-
Preston Bruce Dawkins, Jr., Esquire Aiken Bridges, P.A.

P.O. Drawer 1931 Florence, SC 29503

Attorney for Alpha Omega Construction Group, Inc.

Stephen P. Hughes, Esquire
Andy Yoho, Esquire
Howell, Gibson and Hughes, P.A. Post Office Box 40
Beaufort, SC 29901-0040

Attorney for Builders FirstSource- Southeast Group, LLC


David C. Cleveland
CLAWSON AND STAUBES, LLC

September 21, 2017
Charleston, South Carolina

**CLAWSON
AND
STAUBES**
LLC

Trey M. Nicolette
Licensed in SC
tnicolette@clawsonandstaubes.com

September 26, 2017

File No.: 20163984.000

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211-1629

RECEIVED
SEP 28 2017
SC Court of Appeals

Re: Patricia Damico, et al. v. Myers Landscaping, et al.
Case No.: 2014-CP-08-02424

Dear Ms. Kitchings:

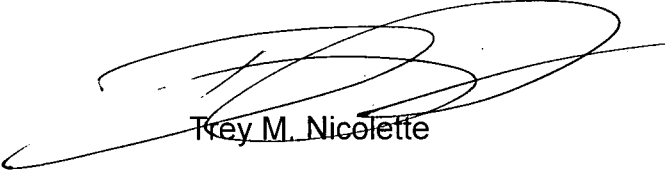
Enclosed please find an original and one copy of the Amended Proof of Service in the above-referenced case to be attached to the Motion for Leave mailed on September 21, 2017 and received by your office on September 25, 2017. I have also included the twenty-five dollar (\$25.00) filing fee for the same.

Please file the original along with the other documents in this case and return the file stamped copy to our office in the enclosed self-addressed stamped envelope. Should you have any questions, please do not hesitate to contact me.

Thank you very much for your attention to this matter.

Very truly yours,

CLAWSON and STAUBES, LLC



Trey M. Nicolette

TMN/sns
Enclosure

**CLAWSON
STAUBES**

LLC

126 Seven Farms Drive, Suite 200
Charleston, SC 29492-8144

File #: 20163984.000

Hasler

FIRST-CLASS MAIL

09/26/2017

US POSTAGE

\$00.67⁰



ZIP 29492
011D11621707

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211-1629

RECEIVED
SEP 28 2017
SC Court of Appeals

