

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

---

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Clifton Newman, Circuit Court Judge

---

Trial Court Case No. 2014CP2606573  
Trial Court Case No. 2014CP2607634  
Appellate Case No. 2017-002146

---

RECEIVED

MAR 16 2018

S.C. SUPREME COURT

In Re Motions to Intervene in:

The Harbour Cove Condominium Association, Plaintiff,

v.

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., Defendants,

And

Beach Villas at Ocean Keys Property Owners Association, Inc., Plaintiff,

v.

Ocean Keys Development, LLC, Key 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, Steel Homes International, Inc., Renaissance Steel Installation, LLC n/k/a Renaissance Steel, LLC, Benchmark Steel Service, LLC and Dietrich Building Systems n/k/a Clark Western Dietrich Building Systems, LLC, Defendants,

And

Ocean Keys Development, LLC and Keye Construction Co., Inc., Third-Party Plaintiffs,  
v.

Renaissance Steel Installation, LLC f/k/a Renaissance Steel, LLC n/k/a Innovative Steel Technologies, Benchmark Steel Erectors, and Total Construction, LLC, Third-Party Defendants.

Of whom Hartford Fire Insurance Company, Hartford Casualty Insurance Company, Hartford Underwriters Insurance Company, Clarendon National Insurance Company as successor in interest to Clarendon America Insurance Company, National Fire & Marine Insurance Company, Bitco General Insurance Corporation, Selective Insurance Company of South Carolina, Nationwide Mutual Insurance Company f/k/a Harleystown Insurance Company, Canopus US Insurance, Inc., and American Empire Surplus Lines Insurance Company are the Appellants,

AND

The Harbour Cove Condominium Association, Beach Villas at Ocean Keys Property Owners Association, Inc., Ocean Keys Development, LLC, Keye Construction Co., Inc., and Russell P. Baltzer are the Respondents.

---

**APPELLANTS HARTFORD FIRE INSURANCE COMPANY, HARTFORD CASUALTY  
INSURANCE COMPANY, AND HARTFORD UNDERWRITERS INSURANCE  
COMPANY'S DESIGNATION OF  
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

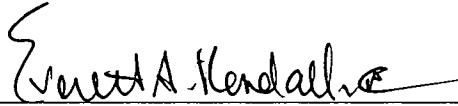
---

Appellants Hartford Fire Insurance Company, Hartford Casualty Insurance Company,  
and Hartford Underwriters Insurance Company propose the following be included in the Record  
on Appeal:

1. Plaintiff's Third Amended Complaint in *Harbour Cove* dated November 7, 2016;
2. Hartford's Motion to Intervene in *Harbour Cove* dated August 7, 2017;
3. Transcript of Hearing in *Harbour Cove* on Motions to Intervene dated September 28, 2017;
4. Transcript of Hearing in *Beach Villas* on Motions to Intervene dated September 28, 2017;
5. *Harbour Cove* Order Denying Motion of Insurers for Limited Intervention dated October 12, 2017;
6. *Beach Villas* Amended Order Denying Motion of Insurers for Limited Intervention dated October 12, 2017;
7. Hartford Notice of Appeal in *Harbour Cove* dated October 13, 2017;
8. Defendant Ocean Keys Development, LLC's Memorandum in Opposition to Plaintiff's Motion to Lift Stay in *Beach Villas* dated November 8, 2017;
9. Order of Court of Appeals Denying Motions to Dismiss Appeal filed January 24, 2018.

I certify that this designation contains no matter which is irrelevant to this appeal.

March 16, 2017



---

Mark S. Barrow  
Everett A. Kendall, II  
Christy E. Mahon  
Sweeny, Wingate & Barrow, P.A.  
Post Office Box 12129  
Columbia, SC 29211  
(803)256-2233  
Attorneys for Appellants Hartford Fire Insurance Company,  
Hartford Casualty Insurance Company, and Hartford  
Underwriters Insurance Company

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Clifton Newman, Circuit Court Judge

---

Trial Court Case No. 2014CP2606573  
Trial Court Case No. 2014CP2607634  
Appellate Case No. 2017-002146

---

RECEIVED

MAR 16 2018

S.C. SUPREME COURT

In Re Motions to Intervene in:

The Harbour Cove Condominium Association, Plaintiff,

v.

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., Defendants,

And

Beach Villas at Ocean Keyes Property Owners Association, Inc., Plaintiff,

v.

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, Steel Homes International, Inc., Renaissance Steel Installation, LLC n/k/a Renaissance Steel, LLC, Benchmark Steel Service, LLC and Dietrich Building Systems n/k/a Clark Western Dietrich Building Systems, LLC, Defendants,

And

Ocean Keyes Development, LLC and Keye Construction Co., Inc., Third-Party Plaintiffs,  
v.

Renaissance Steel Installation, LLC f/k/a Renaissance Steel, LLC n/k/a Innovative Steel Technologies, Benchmark Steel Erectors, and Total Construction, LLC, Third-Party Defendants.

Of whom Hartford Fire Insurance Company, Hartford Casualty Insurance Company, Hartford Underwriters Insurance Company, Clarendon National Insurance Company as successor in interest to Clarendon America Insurance Company, National Fire & Marine Insurance Company, Bitco General Insurance Corporation, Selective Insurance Company of South Carolina, Nationwide Mutual Insurance Company f/k/a Harleysville Insurance Company, Canopus US Insurance, Inc., and American Empire Surplus Lines Insurance Company are the Appellants,

AND

The Harbour Cove Condominium Association, Beach Villas at Ocean Keyes Property Owners Association, Inc., Ocean Keyes Development, LLC, Keye Construction Co., Inc., and Russell P. Baltzer are the Respondents.

---

**APPELLANTS HARTFORD FIRE INSURANCE COMPANY, HARTFORD CASUALTY  
INSURANCE COMPANY, AND HARTFORD UNDERWRITERS INSURANCE  
COMPANY'S PROOF OF SERVICE OF  
DESIGNATION OF  
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

---

I certify that I have served Hartford Fire Insurance Company, Hartford Casualty Insurance Company, and Hartford Underwriters Insurance's Designation of Matter to be Included in the Record on Appeal by depositing a copy of it in the United States Mail, postage prepaid, on March 16, 2018 addressed to their attorneys of record, listed as follows:

cc: Peter H. Dworjanyn, Esquire  
Collins & Lacy, P.C.  
PO Box 12487  
Columbia, SC 29211  
Attorney for Appellant Canopus US Insurance, Inc.

Clay McCollough  
Ross A. Appel  
McCullough Kahn, LLC  
359 King Street  
Suite 200  
Charleston, SC 29401

Attorneys for Appellant American Empire Surplus Attorney for Appellant American Empire Surplus Lines Insurance Company

Robert C. Calamari, Esquire  
Nelson Mullins Riley & Scarborough, LLP  
3751 Robert M Grissom Parkway, Suite 300 (29577-3165)  
Post Office Box 3939  
Myrtle Beach, SC 29578  
Attorney for Appellants Selective Insurance Company of South Carolina and Harleystown Insurance Company

John L. McCants, Esquire  
Rogers, Lewis, Jackson, Mann & Quinn, LLC  
Post Office Box 11803  
Columbia, SC 29211  
Attorney for Appellant National Fire & Marine Insurance Company

Lawrence M. Hunter, Jr., Esquire  
Hunter & Foster, P.A.  
Post Office Box 10309  
Greenville, SC 29603  
Attorney for Appellant Bitco General Insurance Corporation

Neil S. Haldrup, Esquire  
Thomas B. Boger, Esquire  
Wall Templeton & Haldrup, P.A.  
145 King Street, Suite 300  
Post Office Box 1200  
Charleston, SC 29401  
Attorneys for Appellant Clarendon National Insurance Company as successor in interest to Clarendon America Insurance Company

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  
Attorney for Respondent The Harbour Cove Condominium Association

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

Robert I. Wylie, IV, Esquire  
Mullen Wylie, LLC  
Post Office Box 1980  
Myrtle Beach, SC 29578  
Attorney for Respondent Beach Villas at Ocean Keys Property Owners Association, Inc.

James E. Lady, Esquire  
Mullen Wylie, LLC  
171 Church Street, Suite 370  
Charleston, SC 29401  
Attorney for Respondent Beach Villas at Ocean Keys Property Owners Association, Inc.

A. Preston Brittain, Esquire  
Brittain Law Firm, P.A.  
4614 Oleander Drive  
Myrtle Beach, SC 29577  
Attorney for Respondent Beach Villas at Ocean Keys Property Owners Association, Inc.

Robert T. Lyles, Esquire  
Joseph K. Cunningham, Esquire  
Lyles & Lyles, LLC  
Post Office Box 773  
Charleston, SC 29402  
Attorneys for Respondent Russell P. Baltzer

David Miller  
Holly M. Lusk  
Bellamy, Rutenberg, Copeland, Epps,  
Gravely & Bowers, P.A.  
P.O. Box 357  
Myrtle Beach, SC 29578  
Attorneys for Respondents Russell P. Baltzer, Ocean Keys Development, LLC, and  
Keye Construction Co., Inc.

Dominic A. Starr, Esquire  
J. Christopher Clark, Esquire  
McAngus Goudelock & Courie, LLC  
Post Office Box 1349  
Myrtle Beach, SC 29578  
Attorneys for Respondents Ocean Keys Development, LLC, and

Keye Construction Co., Inc.

Patrick J. McDonald, Esquire  
N. Keith Emge, Jr., Esquire  
Resnick & Louis, P.C.  
234 Seven Farms Drive, Suite 128  
Charleston, SC 29492  
Attorneys for Respondent Ocean Keyes Development, LLC

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

J. David Banner, Esquire  
Aiken Bridges Elliott Tyler & Saleeby, PA  
Post Office Box 1931  
Florence, SC 29503  
Attorney for Roof Doctor of the Carolinas, Inc.

Jonathan J. Anderson  
Curt Martin  
Anderson Reynolds & Stephens, LLC  
P O Box 87  
Charleston, SC 29402  
Attorneys for 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

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

James H. Elliott, Jr., Esquire  
Samia H. Nettles, Esquire  
F. Heyward Grimbball, Esquire  
Richardson Plowden & Robinson, PA  
40 Calhoun Street, Suite 220  
Charleston SC 29401  
Attorneys for First Exteriors, LLC

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

G. Michael Smith, Esquire  
Thompson & Henry, P.A.  
Post Office Box 1740  
Conway, SC 29578  
Attorney for Carefree Exteriors, Inc.

Jeffrey A. Ross  
Ed Anglin  
Jeff Ross Law LLC  
1100 Queensborough Boulevard, Suite 201  
Mt. Pleasant, SC 29464  
Attorneys for Coastal Stucco

Kevin M. O'Brien, Esquire  
Phelps Dunbar LLP  
GlenLake One  
4140 ParkLake Ave., Suite 100  
Raleigh, NC 27612  
Attorney for Richard H. Construction, LLC a/k/a Ricardo Hernandez d/b/a Richard Framing Construction

Thomas C. Hildebrand, Jr.  
F. Elliotte Quinn, IV, Esquire  
Parker Poe Adams & Bernstein, LLP  
200 Meeting Street, Suite 301  
Charleston SC 29401  
Attorneys for 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 BR Brick & Masonry, Inc.

Shanna M. Stephens  
W. Coleman Lawrimore  
Anderson Reynolds & Stephens, LLC  
P O Box 87

Charleston, SC 29402  
Attorneys for Carolina Drywall & Interiors a/k/a Carolina Drywall Contractors, Inc.

Theodore L. Manos  
Michael E. Wright  
Robertson Hollingsworth Manos & Rahn, LLC  
550 King Street, Suite 300  
Charleston, SC 29403  
Attorney for South Carolina State Plastering, LLC, Georgia State Plastering, LLC,  
Florida State Plastering, LLC, RWG, Inc., RWGR, Inc., Right Way Construction, Inc.,  
and Right Way Group, Inc.

J. Kenneth Carter, Jr.  
Turner Padgett Graham & Laney, PA  
1901 Main Street, 17th Floor (29201)  
P.O. Box 1473  
Columbia, SC 29202  
Attorney for 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 Roof Doctor of the Carolinas, Inc.

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

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

Jacqueline Dixon Phillips  
Carlton Bowers  
Parker Nelson & Associates  
211 King Street, Suite 107  
Charleston, SC 29401  
Attorneys for Stock Building Supply, LLC

H. Mark Hamlet  
Jessica Humphries, Esquire  
Hamlet & Associates, PLLC  
5215 Junction Park Circle, Suite 202  
Wilmington, NC 28412  
Attorneys for Vance Johnson Plumbing Co., Inc.

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

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

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

O. Carlisle Edwards, Jr.  
McAngus Goudelock & Courie, LLC  
P O Box 650007  
Mt. Pleasant SC 29465  
Attorney for 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 CEMS Engineering, Inc.

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

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

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

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

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

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

James L. Werner, Esquire  
Katon E. Dawson, Jr., Esquire  
Parker Poe Adams & Bernstein, LLP  
Post Office Box 1509  
Columbia, SC 29201

Attorneys for Dietrich Building Systems

Allen DuPre  
Lyles & Lyles, LLC  
Post Office Box 773  
Charleston, SC 29402  
Attorney for Ferst Plastering, Inc.

R. Trippett Boineau, III, Esquire  
Heath McAlvin Stewart, Esquire  
McAngus, Goudelock & Courie, LLC  
1320 Main Street, 10th Floor (29201)  
Post Office Box 12519  
Columbia, South Carolina 29211-2519  
Attorneys for Coastal Tinting, Inc. and BCI, INC.

Edward R. Cole, Esquire  
David R. Sligh, Esquire  
Turner, Padget, Graham & Laney, P.A.  
Founders Centre  
2411 North Oak Street, Suite 301  
Myrtle Beach, SC 29578  
Attorneys for Model Homes Interiors

Sarah Wetmore  
Nick C. Stewart  
Carlock, Copeland & Stair LLP  
40 Calhoun Street  
Suite 400  
Charleston, South Carolina 29401  
Attorneys for Steven Bosch d/b/a The Rooferman

Sarah Wetmore  
Madison B. Suttie  
Carlock, Copeland & Stair LLP  
40 Calhoun Street  
Suite 400  
Charleston, South Carolina 29401  
Attorneys for Weather Protection Systems, Inc.

Paul E. Sperry  
Carlock, Copeland & Stair LLP  
40 Calhoun Street  
Suite 400  
Charleston, South Carolina 29401  
Attorney for AO Hardee

John M. Leiter  
Law Offices of John M. Leiter PA  
1203 48th Ave. N., Suite 109  
Myrtle Beach, SC 29577  
Attorney for Crescent Architects, LLC

Michael Leech  
Clawson and Staubes, LLC  
126 Seven Farms Drive, Suite 200  
Charleston SC 29492-8144  
Attorney for Taylor Made Builders, Inc.

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

Brian P. Crotty  
Nelson Mullins  
1320 Main Street, 17th Floor  
Columbia, SC 29201  
Attorney for Liberty Mutual Fire Insurance Co

Robert M. Kennedy, Jr., Esquire  
Phelps Dunbar LLP  
GlenLake One  
4140 ParkLake Ave., Suite 100  
Raleigh, NC 27612  
Attorney for Catalina London, Ltd.

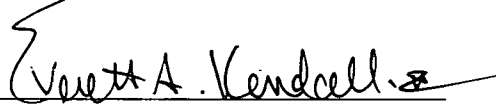
Robert B. Hawk  
Ethridge Law Group, LLC  
P.O. Box 20969  
Charleston, SC 29413

Jenny C. Honeycutt  
Best Honeycutt, P.A.  
PO Box 13466  
Charleston, SC 29422  
Attorney for Cox Milwork & Supply, Inc.

John B. O'Neal, IV  
Bill O'Neil  
Jean M. Jennings  
Hood Law Firm, LLC

172 Meeting Street  
Charleston, SC 29401  
Attorney for Com Tech

March 16, 2018

A handwritten signature in black ink that reads "Everett A. Kendall" with a stylized flourish at the end.

Mark S. Barrow, Esquire  
Everett A. Kendall, II, Esquire  
Christy E. Mahon, Esquire  
Sweeny, Wingate & Barrow, P.A.  
1515 Lady Street  
Post Office Box 12129  
Columbia, South Carolina 29211  
Attorneys for Appellants Hartford Fire Insurance  
Company, Hartford Casualty Insurance Company,  
and Hartford Underwriters Insurance Company