

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Clifton Newman, Circuit Court Judge

Civil Action No. 2014-CP-26-07634  
Appellate Case No. 2017-002146

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Ex Parte:

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, Appellants,

In Re:

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

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**DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL**

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Pursuant to Rule 209, SCACR, the Appellant National Fire & Marine Insurance Company hereby designates the following matter to be included in the record on appeal in this action.

1. Third Amended Complaint in Civil Action No. 2014-CP-26-7634
2. Notice of Motion and Memorandum in Support of Motion for Limited Intervention Pursuant to Rule 24, SCRCF to Have Court Submit a Special Verdict Form and/or General Verdict Form Accompanied by Answer to Interrogatories Pursuant to Rule 49, SCRCF filed by National Fire & Marine Insurance Company on July 27, 2017.
3. Estimate Procon & Associates, Inc. dated June 22, 2016.
4. Order Denying Motion of Insurers for Limited Intervention dated October 12, 2017
5. Transcript of Hearing – September 28, 2017.
6. Notice of Appeal filed on October 13, 2017.
7. Order of the Honorable J.C. Nicholson, Jr. in Beresford Commons Homeowners Association, Inc., v. Portrait Homes-South Carolina, LLC – Court of Common Pleas – Berkeley County, SC - Civil Action No. 2013-CP-08-0179, dated January 17, 2017.

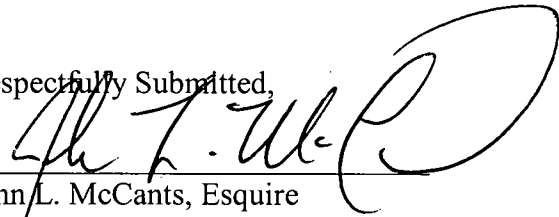
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*Designation Of Matter To Be Included In Record On Appeal  
Rule 209, SCACR*

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John L. McCants", written over a horizontal line.

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March 19, 2018

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And

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

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**APPELLANT NATIONAL FIRE & MARINE INSURANCE COMPANY'S PROOF OF SERVICE OF INITIAL BRIEF, DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL, AND CERTIFICATE OF COUNSEL**

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I certify that I have served National Fire & Marine Insurance Company's Proof Of Service Of Initial Brief, Designation Of Matter To Be Included In The Record On Appeal, And Certificate Of Counsel by depositing a copy of it in the United States Mail, postage prepaid, on March 19, 2018 addressed to their attorneys of record, listed as follows:

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