

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J.C. Nicholson, Circuit Judge

Appellate Case No. 2016-002339

Circuit Court Case No. 2014-CP-08-2424

RECEIVED

SEP 21 2017

SC Court of Appeals

Patricia Damico and Lenna Lucas, Individually and on behalf of all others similarly situated, Joshua and Brettany Beutow, Edward and Sylvia Dengg, Jonathan and Teresa Douglass, Anthony and Stacey Ray, Danny and Ellen Davis Morrow, Czara and Chad England, Bryan and Cynthia Camara, and Matthew Collins,.....**Respondents,**

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 and Rick Bryant, Individually,.....**Defendants,**

Of Which, 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 are Respondents and Lennar Carolinas, LLC,.....**Appellant**

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C. & A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal 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 -Southeast Group, LLC, and Low Country Renovations and Siding, LLP,.....**Third-Party Defendants.**

OF WHICH, Volkmar Consulting Services, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C. & A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's

Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal 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 -Southeast Group, LLC are.....**Respondents**

---

**PROOF OF SEVICE**

---

I hereby certify that I have this date served Respondent, Manale Landscaping, LLC,'s *Final Brief of Respondent Manale Landscaping, LLC* by depositing a copy of the same in the U.S. Mail, postage paid, addressed as set forth below:

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.*

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

David C. Cleveland, Esquire  
**Clawson & Staubes, LLC**  
126 Seven Farms drive, Suite 200  
Charleston, South Carolina 29494-8144  
*Attorney for Low Country Renovations and Siding, LLP, Myers Landscaping*

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 Décor 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**

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 Milcetch 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*

38 Broad Street, Suite 200  
Charleston, SC 29401  
*Attorney for Guaranteed Framing, LLC*  
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 Padget 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*

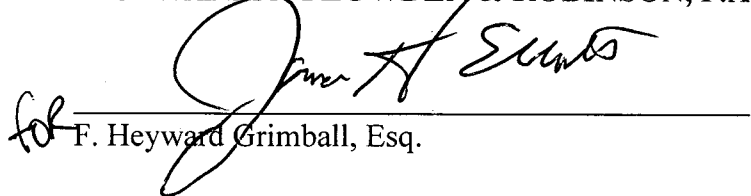
David S. Cobb, Esq.  
**Turner Padget Graham & Laney, PA**  
P.O. Box 22129  
Charleston, SC 29413  
-and-  
Patrick J. McDonald, Esq.  
**Resnick & Louis, PC**  
234 Seven Farms Drive, Suite 128  
Charleston, SC 29492  
*Attorney for Construction Applicators  
Charleston, LLC*

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

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

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

**RICHARDSON PLOWDEN & ROBINSON, P.A.**

  
for F. Heyward Grimball, Esq.

<sup>19</sup>  
September 18, 2017  
Charleston, South Carolina