

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM LEXINGTON COUNTY
COURT OF COMMON PLEAS

THE HONORABLE R. KNOX McMAHON
CIRCUIT COURT JUDGE

CIVIL ACTION NO. 2016-CP-32-02742

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SC Court of Appeals

Tina Huffstetler,

RESPONDENT,

versus

Michael Nemece & Company, Inc.; Nemece Construction Company, Inc.; Michael Nemece, Individually; C. Jeff Stroud Architect, AIA, Inc.; Jeff Stroud, Individually; Lake Murray Environmental Services, LLC; J & A Masonry, LLC; Chris Phillips, individually and d/b/a J & C Framing; P&B Building, LLC; SH Land Clearing & Excavating, Inc; Land Clearing & Excavating, Inc; George Otto d/b/a Otto Express Cabinets & Trim; Lake Murray Environmental Services, LLC; Timothy Clark d/b/a Timothy Clark Roofing; CDH Painting, LLC d/b/a CDH Custom Painting; Forterra Brick, LLC; Hollis Plumbing Co., Inc.; Ace Drywall, Inc; Toby Kesister; and Bruce Chavis,

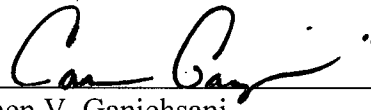
DEFENDANTS,

Of which Michael Nemece & Company, Inc.; Nemece Construction Company, Inc.; and Michael Nemece, Individually are the

APPELLANTS.

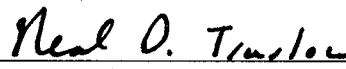
NOTICE OF APPEAL

The Defendants, Michael Nemeec & Company, Inc.; Nemeec Construction Company, Inc.; and Michael Nemeec, Individually, appeal from the Order Denying Defendants' Motion to Compel Arbitration and Stay Complaint of the Honorable R. Knox McMahon, dated March 12, 2018 and filed April 27, 2018, as well the Order of the Honorable R. Knox McMahon denying the Defendants' Motion for Reconsideration Pursuant to Rule 59(e), SCRCPP, dated May 31, 2018 and filed June 14, 2018. The Defendants received written notice of the Order denying the Motion for Reconsideration on June 14, 2018.



Carmen V. Ganjehsani
RICHARDSON, PLOWDEN & ROBINSON, PA
1900 Barnwell Street (29201)
Post Office Drawer 7788
Columbia, South Carolina 29202
(803) 771-4400

Drew Hamilton Butler
John H. Guerry
RICHARDSON, PLOWDEN & ROBINSON, PA
171 Church Street, Suite 150
Charleston, South Carolina 29401
(803) 805-6550
**ATTORNEYS FOR APPELLANTS
MICHAEL NEMEC & COMPANY, INC.
and MICHAEL NEMEC, INDIVIDUALLY**



Neal D. Truslow *signed & expressed permission by CV6*
914 Richland Street, Suite B-102
P.O. Box 1465
Columbia, South Carolina 29202
(803) 256-6276

**ATTORNEYS FOR APPELLANTS
MICHAEL NEMEC & COMPANY, INC.;
MICHAEL NEMEC, INDIVIDUALLY; and
NEMEC CONSTRUCTION COMPANY, INC.**

July 2, 2018.

Other Counsel of Record:

John M. Grantland, Esquire
Rogers E. Harrell, III, Esquire
MURPHY & GRANTLAND, PA
P.O. Box 6648
Columbia, SC 29260
(803) 782-4100

Benjamin C. Bruner, Esquire
BRUNER POWELL WALL & MULLINS, LLC
P.O. Box 61110
Columbia, SC 29260
(803) 252-7693

**ATTORNEYS FOR PLAINTIFF
TINA HUFFSTETLER**

Thomas F. Dougall, Esquire
Michal Kalwajtys, Esquire
DOUGALL & COLLINS
1700 Woodcreek Farms Road, Suite 100
Elgin, SC 29045
(803) 865-8858

**ATTORNEYS FOR DEFENDANTS ACE DRYWALL, INC., AND
GEORGE OTTO D/B/A OTTO EXPRESS CABINETS & TRIM**

Christopher P. Deters, Esquire
T. Happel Scurry, Esquire
THURMOND KIRCHNER & TIMBES, P.A.
15 Middle Atlantic Wharf, Suite 101
Charleston, SC 29401
(843) 937-8000

**ATTORNEYS FOR DEFENDANT CHRIS PHILLIPS,
INDIVIDUALLY AND D/B/A J&C FRAMING**

Sterling G. Davies, Esquire
Greg B. Collins, Esquire
MCANGUS GOUDELOCK & COURIE, LLC
P.O. Box 12519
Columbia, SC 29211
(803) 227-2235

**ATTORNEYS FOR DEFENDANT LAND
CLEARING & EXCAVATING, INC.**

Carlos W. Gibbons, Jr., Esquire
ASHLEY & GIBBONS, PA
712 Calhoun Street, Suite B
Columbia, SC 29201
(803) 771-4488

**ATTORNEY FOR DEFENDANTS C. JEFF STROUD, ARCHITECT, AIA, INC.;
AND C. JEFF STROUD, INDIVIDUALLY**

John E. Rogers, II, Esquire
C. Reed Teague, Esquire
Chad M. Graham, Esquire
THE WARD LAW FIRM
P.O. Box 5663
Spartanburg, SC 29304
(864) 591-2366

**ATTORNEYS FOR DEFENDANTS LAKE MURRAY ENVIRONMENTAL
SERVICES, LLC; HOLLIS PLUMBING CO., INC., CDH PAINTING, LLC D/B/A
AND CDH CUSTOM PAINTING**

G. Troy Thames, Esquire
WILLSON JONES CARTER & BAXLEY, PA
421 Wando Park Blvd., Suite 100
Mount Pleasant, SC 29464
(843) 284-0832

ATTORNEYS FOR DEFENDANT P&B BUILDERS, LLC

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CERTIFICATE OF SERVICE

I, the undersigned, an employee of Richardson Plowden & Robinson, P.A., do hereby certify that I have this date served the foregoing Notice of Appeal, dated July 2, 2018, and attached Orders, by personally depositing a copy of the same in a United States Postal Service mailbox, postage prepaid, addressed to the parties indicated below:

The Honorable Lisa M. Comer
Lexington County Clerk of Court
205 East Main Street
Suite 128
Lexington, SC 29072

John M. Grantland, Esquire
Rogers E. Harrell, III, Esquire
MURPHY & GRANTLAND, PA
P.O. Box 6648
Columbia, SC 29260

Benjamin C. Bruner, Esquire
BRUNER POWELL WALL &
MULLINS, LLC
P.O. Box 61110
Columbia, SC 29260
**ATTORNEYS FOR PLAINTIFF
TINA HUFFSTETLER**

Thomas F. Dougall, Esquire
Michal Kalwajty, Esquire
DOUGALL & COLLINS
1700 Woodcreek Farms Road, Suite 100
Elgin, SC 29045
**ATTORNEYS FOR DEFENDANTS ACE
DRYWALL, INC., AND
GEORGE OTTO D/B/A OTTO EXPRESS
CABINETS & TRIM**

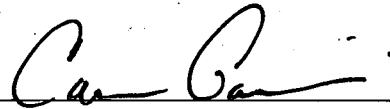
Christopher P. Deters, Esquire
T. Happel Scurry, Esquire
THURMOND KIRCHNER & TIMBES,
P.A.
15 Middle Atlantic Wharf, Suite 101
Charleston, SC 29401
**ATTORNEYS FOR DEFENDANT
CHRIS PHILLIPS,
INDIVIDUALLY AND D/B/A J&C
FRAMING**

Sterling G. Davies, Esquire
Greg B. Collins, Esquire
MCANGUS GOUDELOCK &
COURIE, LLC
P.O. Box 12519
Columbia, SC 29211
**ATTORNEYS FOR DEFENDANT
LAND CLEARING & EXCAVATING,
INC.**

Carlos W. Gibbons, Jr., Esquire
ASHLEY & GIBBONS, PA
712 Calhoun Street, Suite B
Columbia, SC 29201
**ATTORNEY FOR DEFENDANTS C.
JEFF STROUD, ARCHITECT, AIA,
INC.; AND C. JEFF STROUD,
INDIVIDUALLY**

John E. Rogers, II, Esquire
C. Reed Teague, Esquire
Chad M. Graham, Esquire
THE WARD LAW FIRM
P.O. Box 5663
Spartanburg, SC 29304
**ATTORNEYS FOR DEFENDANTS
LAKE MURRAY ENVIRONMENTAL
SERVICES, LLC; HOLLIS PLUMBING
CO., INC., CDH PAINTING, LLC D/B/A
AND CDH CUSTOM PAINTING**

G. Troy Thames, Esquire
WILLSON JONES CARTER &
BAXLEY, PA
421 Wando Park Blvd., Suite 100
Mount Pleasant, SC 29464
**ATTORNEYS FOR DEFENDANT
P&B BUILDERS, LLC**



Carmen V. Ganjehsani
RICHARDSON, PLOWDEN & ROBINSON, PA
Post Office Drawer 7788
Columbia, South Carolina 29202

Date: July 2, 2018.

The Honorable Jenny Abbott Kitchings

July 2, 2018

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cc: The Honorable Lisa M. Comer, Lexington County Clerk of Court (w/enc.)
John M. Grantland, Esquire (w/enc.)
Rogers E. Harrell, III, Esquire (w/enc.)
Benjamin C. Bruner, Esquire (w/enc.)
Thomas F. Dougall, Esquire (w/enc.)
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G. Troy Thames, Esquire (w/enc.)
Neal D. Truslow, Esquire (w/enc.)
Drew Hamilton Butler, Esquire (w/enc.)
John H. Guerry, Esquire (w/enc.)

Reply to: Carmen V. Ganjehsani
Direct Dial: 803-253-8692
cganjehsani@richardsonplowden.com

July 2, 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Tina Huffstetler v. Michael Nemec & Company, Inc. et al.
Case No.: 2016-CP-32-02742
RPR File No.: 8981-002

Dear Ms. Kitchings:

Enclosed for filing is the Notice of Appeal of the Defendants, Michael Nemec & Company, Inc.; Nemec Construction Company, Inc.; and Michael Nemec, Individually, in the above-referenced case, along with a copy of the Orders appealed from and our Certificate of Service.

Also enclosed is our firm's check in the amount of \$100.00 for the filing fee in this matter.

Please note that Carmen V. Ganjehsani, Drew Hamilton Butler, and John H. Guerry are only representing Michael Nemec & Company, Inc. and Michael Nemec, Individually while Neal D. Truslow is representing all three appealing defendants - Michael Nemec & Company, Inc.; Michael Nemec, Individually; and Nemec Construction Company, Inc.

By copy of this letter, we are serving this Notice of Appeal on the Clerk of Court for Lexington County and counsel of record.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,



Carmen V. Ganjehsani

CVG
Enclosures

8981-002

RICHARDSON
RICHARDSON PLOWDEN ROBINSON, P.A.
PLOWDEN
ATTORNEYS AT LAW

COLUMBIA P.O. Drawer 7788 • Columbia, SC 29202

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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