

The Supreme Court of South Carolina

In re: Mt. Hawley Insurance Company, Petitioner,

In Which Contravest, Inc., Contravest Construction Company and Plantation Point Horizontal Property Regime Owners Association, Inc., as assignees, are Respondents.

Appellate Case No. 2018-001170¹

ORDER

The United States Court of Appeals for the Fourth Circuit asked this Court to answer a certified question of law under Rule 244 of the South Carolina Appellate Court Rules (SCACR). By order dated August 9, 2018, this Court agreed to answer this certified question.

Respondents have filed a motion entitled "motion to reconsider, alter, or amend the certified question, or in the alternative to rescind certification." The motion is denied without prejudice to respondent's ability to raise these arguments in its

¹ Before the United States Court of Appeals for the Fourth Circuit, the Case Number is 18-1401.

brief.²



FOR THE COURT C.J.

Columbia, South Carolina
September 20, 2018

cc: Charles Mitchell Brown, Esquire
Andrew K. Epting, Jr., Esquire
Blake Terence Williams, Esquire
William C. Wood, Jr., Esquire
Jesse A. Kirchner, Esquire
Michael A. Timbes, Esquire
Thomas James Rode, Esquire
The Honorable Paul V. Niemeyer (with copy of motion minus exhibits)
The Honorable G. Steven Agee (with copy of motion minus exhibits)
The Honorable Clyde H. Hamilton (with copy of motion minus exhibits)
The Honorable Patricia S. Connor (with copy of motion minus exhibits)
Ms. Emily Borneisen (with copy of motion minus exhibits)

² With the petition for rehearing, respondents have filed various exhibits. Respondents are reminded that in answering this certified question, this Court will not consider any documents or other evidentiary materials that have not been submitted by the certifying court. Rule 244(b), SCACR ("The Supreme Court will not consider any documents or other evidentiary materials unless the certifying court has submitted those materials. The Supreme Court may request the original or copies of all or of any portion of the record before the certifying court to be filed with the Court, if, in the opinion of the Supreme Court, the record or a portion thereof may be necessary in deciding to accept or in answering the questions. In the event a party believes that additional materials from the record before the certifying court are necessary, it shall notify the Supreme Court and the certifying court so that the certifying court can determine if the additional materials will be submitted.").

Blake Terence Williams, Esquire
William C. Wood, Jr., Esquire
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