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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

The Honorable Clifton B. Newman, Circuit Court Judge

Case No. 2014-CP-26-08136

RECEIVED  
OCT 16 2018  
SC Court of Appeals

The Greenbriar Condominium Association, Appellant/Respondent,

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., Craftmaster Manufacturing, Inc. d/b/a CMI, Martin Masonry, Inc., Gary Hunnell d/b/a Grand Strand Roofing, Stock Building Supply, LLC f/k/a Stock Building Supply, Inc., Stock Building Supply, LLC, f/k/a Carolina Builders Corporations, Morningstar Consultants, Inc., LPM Enterprises, Inc. f/k/a Loss Prevention Management, Inc. a/k/a Loss Prevention Managed Home Inspections, Inc., Jeld-Wen, Inc., successor to and/or merger with Craftmaster Manufacturing, Inc. d/b/a CMI, Elite Exteriors, LLC, and South Strand Landscaping, Respondents,

v.

Centex Homes, a Nevada General Partnership, Respondent/Appellant,

v.

Michael Dawson d/b/a Michael Dawson Construction, Inc., General Landscape Maintenance, LLC, Universal Forest Products Shoffner, LLC, Universal Forest Products, Inc., Universal Forest Products Eastern Division, Inc. n/k/a UFP Eastern Division, Inc., Weather Protection Systems, Inc., Grand Strand Roofing & Siding, Carolina Drywall & Interiors, Inc. a/k/a Carolina Drywall Contractors, Inc., Tri-City Insulation and Building Products of Myrtle Beach, Inc., American Residential Services, LLC, Thomas Heating & Cooling, Inc., JS Elite Flooring Company a/k/a JS Elite Tile Company, John Doe, Vance Johnson Plumbing Co., Inc., RJM Plumbing, Inc., Rice Planters Carpets, Inc. n/k/a Creative Touch Interiors, Inc., Floors, Inc. successor by merger to Rice Planter Carpets, Inc., The Martin Architectural Group, P.C., The Harman Group, Inc., f/k/a Cagley Harman & Association, Inc., Sunland Fire Protection, Inc., Cohen's Drywall Company, Inc., Right Way Construction, Inc. a/k/a RWG, Inc. a/k/a Right Way Group, Inc. a/k/a RWGR,

Inc., Builders FirstSource-Southeast Group, LLC, and Georgetown Construction Services, Inc., Respondents,

Of which 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 are the Respondent/Appellants.

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**CONSENT MOTION TO STAY**

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**COME NOW** the above-named Appellant/Respondent Greenbriar Condominium Association and Respondent/Appellant Centex Homes, a Nevada General Partnership (collectively, the “Parties”), by and through their undersigned counsel, and hereby request an Order staying this consolidated appeal until the circuit court rules on the Consent Motion for Disbursement of Funds Paid into Court, filed October 10, 2018, and the Greenbriar Condominium Association has received its share of funds that are currently being held by the circuit court. A copy of the Consent Motion for Disbursement of Funds Paid into Court is attached hereto as **Exhibit A**. The Parties’ settlement agreement requires the release of the funds by the circuit court and Greenbriar Condominium Association’s receipt of its share of the funds prior to the dismissal of the above-captioned appeal. The Parties will notify the Court when the Greenbriar Condominium Association receives its share of the funds.

**WHEREFORE** Appellant/Respondent Greenbriar Condominium Association and Respondent/Appellant Centex Homes, a Nevada General Partnership respectfully request that this Court issue an Order granting a stay up to and including the date the Greenbriar Condominium Association receives its share of funds that are currently being held by the circuit court.

Respectfully submitted this 16<sup>th</sup> day of October, 2018.

Hot E D Jr 10-16-18

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Attorneys for Appellant/Respondent The Greenbriar  
Condominium Association

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

The Greenbriar Condominium Association,

Plaintiff,

vs.

Centex Homes, a Nevada General Partnership; Centex Construction Company, Inc.; Centex Construction, LLC; Centex-Rooney Construction, Co., Inc.; Centex-Rogers, Inc.; Balfour Beatty Construction, LLC f/k/a Centex Construction, LLC; Right Way Construction, Inc.; Right Way Group, Inc.; RWG, Inc., RWGR, Inc.; Craftmaster Manufacturing, Inc. d/b/a CMI, Martin Masonry, Inc., Gary Hunnell d/b/a Grand Strand Roofing, Stock Building Supply, LLC f/k/a Stock Building Supply, Inc.,

Defendants.

Centex Homes, a Nevada General Partnership,

Third-Party Plaintiff,

vs.

Morningstar Consultants, Inc.; Michael Dawson d/b/a Michael Dawson Construction, Inc.; General Landscape Maintenance, LLC; Universal Forest Products Shoffner, LLC; Universal Forest Products, Inc.; Universal Forest Products Eastern Division, Inc. n/k/a UFP Eastern Division, Inc.; Weather Protection Systems, Inc.; Elite Exteriors, LLC; Grand Strand Roofing & Siding; Carolina Drywall & Interiors, Inc. a/k/a Carolina Drywall Contractors, Inc., Tri-City Insulation and Building Products of Myrtle Beach, Inc.; American Residential Services, LLC; Stock Building Supply, LLC f/k/a Carolina Builders Corporation; Thomas Heating & Cooling, Inc., JS Elite Flooring Company a/k/a JS Elite Tile Company; LPM Enterprises, Inc. f/k/a Loss Prevention Management, Inc. a/k/a Loss Prevention Management Home Inspections, Inc.; John Doe; Vance Johnson Plumbing Co., Inc.; RJM Plumbing, Inc.; All Heating and Cooling Service Corp.; JS Elite Flooring Company; Floors, Inc. successor by merger to Rice Planter Carpets, Inc.; The Martin Architectural Group, P.C., The Harman Group, Inc. f/k/a Cagley Harman & Association, Inc.; Sunland

IN THE COURT OF COMMON PLEAS

FIFTEENTH JUDICIAL CIRCUIT

Case No. 2014-CP-26-08136

CONSENT MOTION FOR DISBURSEMENT OF FUNDS PAID INTO COURT

Fire Protection, Inc.; Cohen's Drywall Company, Inc.; Right Way Construction, Inc. a/k/a RWG, Inc. a/k/a Right Way Group, Inc. a/k/a RWGR, Inc.; Builders FirstSource – Southeast Group, LLC; Georgetown Construction Services, Inc.,

Third-Party Defendants

General Landscape Maintenance, LLC,

Fourth-Party Plaintiff,

vs.

South Strand Landscaping, Inc.,

Fourth-Party Defendant,

By Order dated April 4, 2018, this Court granted the motion of the Defendants Centex Homes, a Nevada General Partnership, Centex Construction Company, Inc., Centex Construction, LLC, Centex-Rooney Construction, Co., Inc., Centex-Rogers, Inc. and Balfour Beatty Construction, LLC f/k/a Centex Construction, LLC; (hereinafter, collectively "Centex") for leave to deposit the judgment sum of \$580,000 into the Court. The Court directed the Clerk of Court to deposit the \$580,000 into an interest bearing account. Centex and The Greenbriar Condominium Association ("Plaintiff") have reached an agreement for disbursement of the deposited funds with \$580,000 to be paid to the Plaintiff and any and all accrued interest to be paid to Centex.

THEREFORE, on motion of Centex and with the consent of Plaintiff, the Court directs the Clerk of Court to disburse all funds held by her relative to the judgment sum deposit and to issue a check payable to the Plaintiff, The Greenbriar Condominium Association, made out to the Segui Law Firm PC, as attorneys for the Greenbriar Condominium Association, directed to the Segui Law Firm PC, 864 Lowcountry Blvd., Suite A, Mount Pleasant, SC 29464 in the amount of \$580,000 and to issue a separate check reflecting the amount for any and all accrued interest made out to "Gallagher Bassett" and mailed to Thomas C. Hildebrand, Jr., at Parker

Poe Adams & Bernstein LLP, 200 Meeting Street, Suite 301, Charleston, SC 29401, attorneys for Centex.

Dated: October 10, 2018

By: s/Phillip W. Segui, Jr.  
Phillip W. Segui, Jr.  
SC Bar No.: 7029  
Segui Law Firm, PC  
864 Lowcountry Blvd., Suite A  
Mt. Pleasant, SC 29464

Attorneys for Plaintiff The Greenbriar  
Condominium Association

Dated: October 10, 2018f

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Attorneys for Defendants 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

THE STATE OF SOUTH CAROLINA  
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v.

Michael Dawson d/b/a Michael Dawson Construction, Inc., General Landscape Maintenance, LLC, Universal Forest Products Shoffner, LLC, Universal Forest Products, Inc., Universal Forest Products Eastern Division, Inc. n/k/a UFP Eastern Division, Inc., Weather Protection Systems, Inc., Grand Strand Roofing & Siding, Carolina Drywall & Interiors, Inc. a/k/a Carolina Drywall Contractors, Inc., Tri-City Insulation and Building Products of Myrtle Beach, Inc., American Residential Services, LLC, Thomas Heating & Cooling, Inc., JS Elite Flooring Company a/k/a JS Elite Tile Company, John Doe, Vance Johnson Plumbing Co., Inc., RJM Plumbing, Inc., Rice Planters Carpets, Inc. n/k/a Creative Touch Interiors, Inc., Floors, Inc. successor by merger to Rice Planter Carpets, Inc., The Martin Architectural

Group, P.C., The Harman Group, Inc., f/k/a Cagley Harman & Association, Inc., Sunland Fire Protection, Inc., Cohen's Drywall Company, Inc., Right Way Construction, Inc. a/k/a RWG, Inc. a/k/a Right Way Group, Inc. a/k/a RWGR, Inc., Builders FirstSource-Southeast Group, LLC, and Georgetown Construction Services, Inc.

Of which 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 are:

Respondent-Appellants.

PROOF OF SERVICE

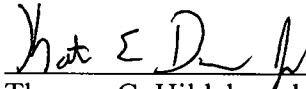
I certify that I have served the **Consent Motion to Stay** by depositing a copy of same in the United States Mail, postage prepaid, on October 16, 2018, addressed to the following:

Phillip W. Segui, Jr. Amanda M. Blundy SEGUI LAW FIRM, PC 864 Lowcountry Blvd., Suite A Mt. Pleasant, SC 29464 (843) 884-1865 Attorney for Appellant-Respondent	John T. Chakeris M. Abigail Young THE CHAKERIS LAW FIRM 231 Calhoun Street Charleston, SC 29401 (843) 853-5678 Attorney for Appellant-Respondent
Shaun W. Cranford CRANFORD LAW P.O. Box 50684 Columbia, SC 29250 (803) 779-6444 Attorney for Appellant-Respondent	Steven A. Meckler, Esquire Christian H. Staples, Esquire Shumaker, Loop & Kendrick, LLP 101 S. Tryon Street, Suite 2200 Charlotte, NC 28280 (704) 945-2187 Attorney for Craftmaster Manufacturing, Inc. d/b/a CMI and Jeld-Wen, Inc., successor to and/or merger with Craftmaster Manufacturing, Inc. d/b/a CMI
Theodore Parker, III, Esquire Jacqueline K. Dixon Phillips, Esquire	E. Glenn Elliott, Esquire Aiken, Bridges, Elliott, Tyler & Saleeby, P.A.

<p>Carlton Bowers, Esquire  Parker Nelson &amp; Associates, Chtd.  211 King St., Suite 202  Charleston, SC 29401  (843) 727-2500  Attorneys for Stock Building Supply, LLC  f/k/a Carolina Builders Corporation and  Stock Building Supply, LLC f/k/a Stock  Building Supply, Inc.</p>	<p>P. O. Drawer 1931  Florence, SC 29503  (843) 669-8787  Attorney for Gary Hunnell d/b/a Grand Strand  Roofing and Grand Strand Roofing and Siding</p>
<p>Theodore L. Manos, Esquire  Michael Wright, Esquire  Robertson Hollingsworth Manos &amp; Rahn  550 King Street, Suite 300  Charleston, SC 29403  (843) 723-6470  Attorneys for Right Way Construction, Inc.,  Right Way Group, Inc., RWG, Inc., and  RWGR, Inc.</p>	<p>Sarah Elizabeth Wetmore, Esquire  Madison Suttie, Esquire  Carlock Copeland &amp; Stair  40 Calhoun St, Suite 400  Charleston, SC 29401  (843) 727-0307  Attorneys for The Harman Group, Inc.  f/k/a Cagley Harman &amp; Association,  Inc. and Weather Protection Systems, Inc.</p>
<p>Sharma Stephens, Esquire  W. Coleman Lawrimore, Esquire  Anderson Reynolds &amp; Stephens LLC  P.O. Box 87  Charleston, SC 29402  (843) 723-0185  Attorneys for Carolina Drywall and Interiors  a/k/a Carolina Drywall Contractors, Inc.</p>	<p>H. Mark Hamlet, Esquire  Nicole Slaughter, Esquire  Hamlet &amp; Associates, PLLC  5215 Junction Park Circle, Suite 202  Wilmington, NC 28412  (910) 777-5995  Attorneys for Vance Johnson Plumbing Co., Inc.</p>
<p>G. Troy Thames, Esquire  Ian Bowers, Esquire  Wilson Jones Carter &amp; Baxley, PA.  421 Wando Park Blvd., Suite 100  Mt. Pleasant, SC 29464  (843) 284-0694  Attorneys for Vance Johnson Plumbing Co., Inc.</p>	<p>David Black, Esquire  Howell, Gibson &amp; Hughes, P.A.  P.O. Box 40  Beaufort, SC 29901  (843) 522-2414  Attorney for Builders FirstSource-  Southeast Group, LLC</p>
<p>Christina A. Bisset, Esquire  McAngus Goudelock &amp; Courie, L.L.C.</p>	<p>Reed Teague, Esquire  John Rogers, Esquire</p>

<p>P.O. Box 77368  Founders Centre, 2411 N. Oak Street,  Suite 401  Myrtle Beach, SC 29578  (843) 848-6000  Attorney for Sunland Fire Protection Inc.</p>	<p>The Ward Law Firm, P.A.  233 South Pine Street  Spartanburg, SC 29302  (864) 573-8500  Attorney for JS Elite Flooring  Company a/k/a JS Elite Tile Company</p>
<p>James M. Saleeby, Jr., Esquire  Preston B. Dawkins, Jr., Esquire  Aiken, Bridges, Elliott, Tyler &amp; Saleeby, P.A.  P.O. Drawer 1931  Florence, SC 29503  (843) 669-8787  Attorneys for Morningstar Consultants, Inc.</p>	<p>Drew Butler, Esquire  John Horton Guerry, Esquire  Richardson Plowden &amp; Robinson, P.A.  40 Calhoun Street, Suite 220  Charleston, SC 29401  (843) 805-6550  Attorney for All Heating and Cooling  Service Corp.</p>
<p>Emily R. Gifford, Esquire  Richardson Plowden  P.O. Box 7788  Columbia, SC 29202  (803) 771-4400  Attorney for The Martin  Architectural Group, P.C.</p>	<p>Joseph S. McCue, Esquire  Collins &amp; Lacy, P.C.  P.O. Box 12487  Columbia, SC 29211  (803) 256-2660  Attorney for Tri-City Insulation and  Building Products of Myrtle Beach, Inc.</p>
<p>David R. Sligh, Esquire  Turner Padgett Graham &amp; Laney, P.A.  P.O. Box 2116  Myrtle Beach, SC 29578  (843) 213-5500  Attorney for RJM Plumbing, Inc. and  Third Party Thomas, Inc., Improperly  Designated as Thomas Heating &amp; Cooling,  Inc.</p>	<p>K. Michael Barfield, Esquire  D. Summers Clarke, Esquire  Danyelle Young, Esquire  Barnwell Whaley Patterson &amp; Helms LLC  Post Office Drawer H  Charleston, SC 29402  (843) 577-7700  Attorneys for Georgetown Construction  Services, Inc.</p>
<p>Carrie A. Fox, Esquire  Aiken Bridges  P.O. Drawer 1931  Florence, SC 29503  (843) 669-8787  Attorney for General Landscape Maintenance</p>	<p>Nate Fata, Esquire  Fata Law  P.O. Box 16620  Surfside Beach, SC 29587  (843) 238-2676  Attorney for General Landscape Maintenance</p>
<p>Jeff Ross, Esquire  Philip P. Cristaldi, Esquire</p>	<p>Eugene P. Corrigan III, Esquire  Law Office of Eugene P. Corrigan, III, LLC</p>

<p>Ross, Cangelosi &amp; Associates  1100 Queensborough Boulevard, Suite 201  Mt. Pleasant, SC 29464  (843) 329-4040  Attorneys for Martin Masonry, Inc.</p>	<p>P.O. Box 1702  Charleston, SC 29402  (843) 327-7187  Attorney for Rice Planter Carpets, Inc. n/k/a  Creative Touch Interiors, Inc., Floors, Inc.  successor by merger to Rice Planter Carpets, Inc.</p>
<p>Bonum S. Wilson, III, Esquire  Brandon T. Reeser, Esquire  Wilson &amp; Heyward, LLC  P.O. Box 13177  Charleston, SC 29422  (843) 762-4567  Attorneys for Elite Exteriors, LLC</p>	<p>O. Carlisle Edwards, Esquire  McAngus Goudelock &amp; Courie, LLC  P.O. Box 650007  Mt. Pleasant, SC 29465  (843) 576-2900  Attorney for Cohen's Drywall Company, Inc.</p>
<p>Sarah E. Wetmore, Esquire  Clinton Magill, Esquire  Carlock, Copeland &amp; Stair, LLP  40 Calhoun Street, Suite 400  Charleston, SC 29401  (843) 727-0307  Attorneys for Michael Dawson d/b/a  Michael Dawson Construction, Inc.</p>	<p>James A. Bruorton, IV, Esquire  Timothy J.W. Muller, Esq.  Rosen, Rosen &amp; Hagood, LLC  P.O. Box 893  Charleston SC 29402  (843) 577-6726  Attorney for Universal Forest Products,  Shoffner, LLC, Universal Forest Products,  Inc., and Universal Forest Products Eastern  Division, Inc. n/k/a UFP Eastern Division, Inc.</p>
<p>Michael D. Freeman, Esquire  Griffith, Sharp &amp; Liipfert, LLC  P.O. Drawer 570  Beaufort, SC 29901  (843) 521-8801  Attorney for American Residential  Services, LLC</p>	<p>John K. Toay  215 Sugar Loaf Lane  Murrells Inlet, SC 29576  Pro Se Defendant LPM Enterprises, Inc.  f/k/a Loss Prevention Management, Inc.  a/k/a Loss Prevention Managed  Home Inspections, Inc.</p>



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Attorneys for Respondent-Appellant

October 16, 2018



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Raleigh, NC  
Spartanburg, SC

October 16, 2018

**Via Hand Delivery**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29211

**RECEIVED**  
OCT 16 2018  
SC Court of Appeals

Re: ***The Greenbrier Condominium Association v. Centex Homes, et. al.;***  
**Appellate Case No. 2018-000597**  
Re: **Consent Motion to Stay**

Dear Mrs. Kitchings:

Enclosed are an original and a copy of a Consent Motion to Stay, Proof of Service, and our firm check in the amount of \$50.00 in the above-referenced lawsuit. Please return a file-stamped copy to my courier.

By copy of this letter, I am serving counsel for the other parties in the above captioned action with a copy of the Motion and Proof of Service.

Thank you for your attention to this request.

Sincerely,

Katon E. Dawson, Jr.

KED:mem  
Enclosures

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