

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2015-CP-10-00955

Ex Parte:

Builders Mutual Insurance Company, Appellant,

In Re:

Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., and Jack Love,
individually, and on behalf of all others similarly situated, Plaintiffs,

v.

Island Pointe, LLC; Leonard T. Brown; Complete Building Corporation; Tri-County Roofing, Inc.; Creekside, Inc.; American Residential Services, LLC d/b/a Rescue Rooter Charleston; Andersen Windows, Inc.; Atlantic Building Construction Services, Inc. n/k/a Atlantic Construction Services, Inc.; Christopher N. Union; Builder Services Group, Inc. d/b/a Gale Contractor Services; Novus Architects, Inc. f/k/a SGM Architects, Inc.; Tallent and Sons, Inc.; W C Services, Inc., CRG Engineering, Inc.; Certainteed Corporation; Kelly Flooring Products, Inc. d/b/a Carpet Baggers and John Doe 1-60.....Defendants.

Tri-County Roofing, Inc.....Third-Party Plaintiff,

v.

Cornerstone Construction and Mark Malloy d/b/a Cornerstone Construction; Gutter Works, Inc. and Michael L. Segars d/b/a Gutter Works; Mr. Gutter; Litchfield Seamless Gutters & Windows, LLC and Thomas Litchfield d/b/a Litchfield Seamless Gutter; Miracle Siding, LLC and Wilson Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo Vasquez; and Chris a/k/a John Doe 61.....Third-Party Defendants.

Complete Building Corporation, Inc.....Third-Party Plaintiff,

v.

Alderman Construction; Stanley's Vinyl Fence Designs; Cohen's Drywall; and Mosley Concrete.....Third-Party Defendants.

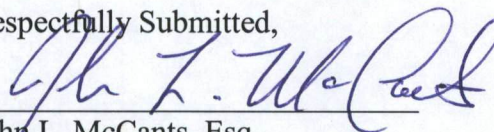
Of whom Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc. and Jack Love, individually, and behalf of all others similarly situated, and Tri-County Roofing, Inc. are the Respondents.

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NOTICE OF APPEAL

Builders Mutual Insurance Company ("Appellant") appeals the Order/Statement of Judgment of the Honorable Jennifer B. McCoy, dated December 17, 2018, denying the Motion for Intervention filed by Builders Mutual Insurance Company; and the Appellant appeals the Order/Statement of Judgment of the Honorable Jennifer B. McCoy, dated January 16, 201[9], denying the Motion for Reconsideration filed by Builders Mutual Insurance Company. Appellant received written notice of entry of the Order/Statement of Judgment denying the Motion to Reconsider on January 21, 2019.

Respectfully Submitted,



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Inc.; Creekside, Inc.; American Residential Services, LLC d/b/a Rescue Rooter Charleston;
Andersen Windows, Inc.; Atlantic Building Construction Services, Inc. n/k/a Atlantic
Construction Services, Inc.; Christopher N. Union; Builder Services Group, Inc. d/b/a Gale
Contractor Services; Novus Architects, Inc. f/k/a SGM Architects, Inc.; Tallent and Sons, Inc.; W
C Services, Inc., CRG Engineering, Inc.; Certainteed Corporation; Kelly Flooring Products, Inc.
d/b/a Carpet Baggers and John Doe 1-60.....Defendants.

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and Michael L. Segars d/b/a Gutter Works; Mr. Gutter; Litchfield Seamless Gutters & Windows,
LLC and Thomas Litchfield d/b/a Litchfield Seamless Gutter; Miracle Siding, LLC and Wilson
Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo
Vasquez; and Chris a/k/a John Doe 61.....Third-Party Defendants.

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Of whom Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc. and Jack Love, individually, and behalf of all others similarly situated, and Tri-County Roofing, Inc. are the Respondents.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Other Counsel of Record by depositing a copy of it in the United States Mail, postage prepaid, on February 19, 2019 addressed to their attorneys of record, listed as follows:

cc:

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Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., et al. v. Island Pointe, LLC, et al.

Circuit Court Case No.: 2015-CP-10-00955

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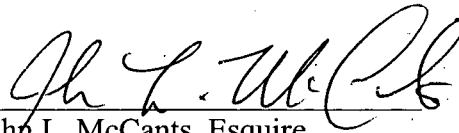
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February 19, 2019

RECEIVED

FEB 19 2019

SC Court of Appeals

Via Hand Delivery

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

Re: Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., et al. v.
Island Pointe, LLC, et al.
Circuit Court Case No.: 2015-CP-10-00955

Dear Ms. Kitchings:

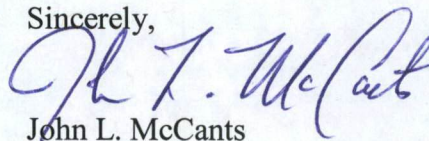
Enclosed for filing is the original Notice of Appeal along with one (1) copy of the Notice of Appeal to be stamped and returned to the courier. Also enclosed are the following:

- (1) Original Proof of Service for the Notice of Appeal and one (1) copy to be stamped and returned with the courier;
- (2) Copies of the Orders which are to be challenged on appeal;
- (3) A filing fee of \$100.00

By copy hereof, all counsel of record are being served with the above.

Thank you for your assistance, and should you have any questions, please do not hesitate to contact me.

Sincerely,



John L. McCants

cc:

The Honorable Clerk of Court for Charleston County
(via US Mail for filing)

Other Counsel of Record:

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Circuit Court Case No.: 2015-CP-10-00955

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