

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

BROWN CONTRACTORS, LLC, under S.C.  
Residential Builders License No. 20378

Plaintiff,

vs.

ANDREW JOSEPH MCMARLIN A/K/A ANDREW  
JOSEPH MC MARLIN AND AMY SALZHAUER

Defendants,

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ANDREW MCMARLIN AND AMY SALZHAUER,

Third-Party Plaintiffs,

vs.

JAMES BROWN, IV AND BROWN-MEIHAUS  
CONSTRUCTION CO., LLC,

Third-Party Defendants.

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IN THE COURT OF COMMON PLEAS

CASE NO: 2014-CP-10-3881

**ORDER DENYING RULE 59 MOTIONS TO  
ALTER OR AMEND**

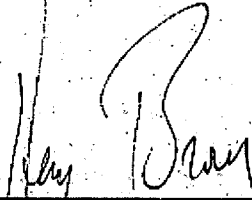
**RECEIVED**  
MAR 27 2019  
SC Court of Appeals

This matter comes before me, as Special Referee, by order of the court dated June 21, 2016. A trial was held from November 7, 2017 through November 10, 2017, and the parties supplemented the record with additional deposition excerpts and exhibits. All exhibits and supplemental testimony were introduced into evidence without objection.

Subsequent to the issuance and filing of the Final Order dated May 1, 2018 both parties filed Rule 59 Motions to Alter or Amend. I have reviewed these motions along with the evidence presented during the trial and am denying both Rule 59 motions.

IT IS THEREFORE ORDERED, that the Plaintiff's Motion to Alter, Amend or Reconsider and Defendants' Motion to Alter or Amend Trial Order Pursuant to SCRPC 59 are denied.

AND IT IS SO ORDERED!

A handwritten signature in black ink, appearing to read "Henry Brown", written over a horizontal line.

Henry Brown as Special Referee

February 22, 2019

# NEXSEN|PRUET

Henry W. Brown  
Member  
Admitted in SC

February 25, 2019

**VIA HAND DELIVERY**

The Honorable Julie J. Armstrong  
Clerk of Court, Charleston County  
100 Broad Street  
Charleston, SC 29401

**Re: *Brown Contractors v. Andrew J. McMarlin and Amy Salzhauer***  
**C/A NO: 2014-CP-10-3881**

Dear Ms. Armstrong:

Enclosed please find an original and two copies of an Order Awarding Attorneys' Fees and an Order Denying Rule 59 Motions to Alter or Amend in the above-referenced matter. This case was referred to me as special referee by a prior order of the Court dated June 21, 2016. Please return the filed copies to our courier.

By copy of this letter, I am providing all counsel of record with copies of the same.

Very truly yours,

  
Henry W. Brown

HWB/smr

Enclosures

cc: Robert B. Varnado, Esq.  
Robert T. Lyles, Esq.

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

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