



The Supreme Court of South Carolina

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POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA
29211

1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

July 10, 2019

The Honorable Julie J. Armstrong
100 Broad St Ste 106
Charleston SC 29401-2210

PARTIAL REMITTITUR

Re: Ex Parte: Builders Mutual (In Re: Palmetto Pointe v. Island Pointe)
Lower Court Case No. 2015CP1000955
Appellate Case No. 2019-000238

Dear Clerk of Court:

The above referenced matter, as it concerns the appellant, FCCI Insurance Company, is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc:

John Lucius McCants, Esquire
Justin O'Toole Lucey, Esquire
Stephanie D. Drawdy, Esquire

Joshua Fletcher Evans, Esquire
Edward D. Buckley, Jr., Esquire
Steven L. Smith, Esquire
Zachary James Closser, Esquire
Samuel Melvil Wheeler, Esquire
Janice Holmes, Esquire
Shelley Sunderman Montague, Esquire
John Robert Murphy, Esquire
Timothy J. Newton, Esquire
George Troy Thames, Esquire
James A. Atkins, Esquire
W. James Flynn, Esquire

The Supreme Court of South Carolina

Ex Parte:

Builders Mutual Insurance Company, Nationwide Mutual Fire Insurance Company, Nationwide Mutual Insurance Company, Nautilus Insurance Company, and FCCI Insurance Company, Appellants,

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.

And

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 on behalf of all others similarly situated, Tri-County Roofing, Inc., Stanley's Vinyl Fence Designs, and W C Services, Inc. are the Respondents.

Appellate Case No. 2019-000238

ORDER

Appellant FCCI Insurance Company moves to withdraw its appeal. The motion is granted, and the appeal of FCCI Insurance Company is dismissed. The remittitur as to that appeal will be sent as provided by Rule 221 of the South Carolina

Appellate Court Rules.

FOR THE COURT

BY


CLERK

Columbia, South Carolina

June 24, 2019

cc:

John Lucius McCants, Esquire
Justin O'Toole Lucey, Esquire
Stephanie D. Drawdy, Esquire
Joshua Fletcher Evans, Esquire
Edward D. Buckley, Jr., Esquire
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