

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

The River Crossing Condominium Association, and Vincent J. Tamburro, on behalf of himself and others similarly situated,

Plaintiffs,

vs.

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.; Stock Building Supply, LLC f/k/a Stock Building Supply, Inc., Builders FirstSource – Southeast Group, LLC, Martin Masonry, Inc., Gary Hunnell d/b/a Grand Strand Roofing, Craftmaster Manufacturing, Inc. d/b/a CMI, Roof Doctor of the Carolinas, Inc., Stock Building Supply, LLC f/k/a Carolina Builders Corporation, Orfield Laboratories, Inc., Trebor Industries, Inc., Steven Bosch, d/b/a The Roofer Man, Certainteed Corporation Successor by merger to Exterior Systems, Inc., a/k/a Norandex, Inc., Weather Protection Systems, Inc., Crawford Door Systems, Inc., Cox Millwork & Supply, Inc., AM Jacobs, Inc., Galvin Depompe, Roberta Depompe, Morningstar Consultants, Inc., Jeld-Wen, Inc. as successor to and/or merger with Craftmaster Manufacturing, Inc., d/b/a CMI, and Sign Studio & Graphics, Inc.

Defendants.

IN THE COURT OF COMMON PLEAS

FIFTEENTH JUDICIAL DISTRICT

Case No.: 2015-CP-26-00279

ORDER OF DISMISSAL
WITHOUT PREJUDICE OF THE
CLAIMS OF CENTEX AGAINST
VANCE JOHNSON PLUMBING CO.,
INC.

(without prejudice and not ending case)

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SC Court of Appeals

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Centex Homes, a Nevada General Partnership,

Third-Party Plaintiff,

vs.

Carolina Drywall and Interiors a/k/a Carolina Drywall Contractors, Inc., Vance Johnson Plumbing Co., Inc., Bogle Electric, Inc., Pelen, Inc., Jayco, Inc., Sunland Fire Protection, Inc., Dunn Plumbing Company, Inc., Essentials Protective Coatings, Inc., RJM Plumbing, Inc., Myrtle Beach Lighting, Inc. a/k/a R&L Lighting, Inc., Tri-City Insulation and Building Products of Myrtle Beach, Inc., Bond Group, Inc., Intracoastal Service Company, Inc., Sandpiper Heating & Air Conditioning, LLC, American Residential Services, LLC d/b/a American Residential Services of South Carolina, Inc., A.O. Hardee & Son, Inc., Vereen Concrete Co., Inc., Michael Dawson d/b/a Michael Dawson Construction, Inc., Floors, Inc. successor by merger to Rice Planter Carpets, Inc., I.T.P., Inc., Carpets By Kendall, Inc., Rice Planter Carpets, Inc. n/k/a Creative Touch Interiors, Inc., CEMS Engineering, Inc., Chris R. Clark, AIA, Crescent Architects, LLC, Bobby L. Curry, Bobby Curry Engineers, Inc., and Right Way Construction, Inc. a/k/a RWG, Inc. a/k/a Right Way Group, Inc. a/k/a RWGR, Inc.,

Third-Party Defendants.

Cox Millwork & Supply, Inc.,

Fourth-Party Plaintiff,

vs.

Citation Manufacturing, Inc.,

Fourth-Party Defendant.

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SC Court of Appeals

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This matter comes before the court pursuant to Rule 41 of the South Carolina Rules of Civil Procedure, and on consent of the Defendants and Third-Party Plaintiffs 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 ("Centex").

WHEREAS, Centex and Third-Party Defendant Vance Johnson Plumbing Co., Inc. ("VJP") have entered in a Tolling Agreement with respect to the claims in the above-referenced matter;

WHEREAS, there are no other claims pending against VJP;

WHEREAS, each party will bear its own attorneys' fees and costs with respect to the claims against VJP in this action;

WHEREAS, this dismissal without prejudice subject to the Tolling Agreement is as to the claims of Centex against VJP in this action only, and it does not dismiss, nor is it intended to dismiss, any other party to this action. All other claims by or against all other parties will continue; therefore,

IT IS HEREBY ORDERED that Centex's claims against VJP be dismissed without prejudice.

IT IS SO ORDERED!

Presiding Judge, Court of Common Pleas

_____, 2019
_____, SC

WE SO CONSENT:

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Horry Common Pleas

Case Caption: River Crossing Condominium Association , plaintiff, et al VS Centex Homes , defendant, et al
Case Number: 2015CP2600279
Type: Order/Dismissal

So Ordered

s/ Clifton B. Newman, 2127