

## **ATTACHMENT 2**

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

COUNTY OF CHARLESTON

) NINTH JUDICIAL CIRCUIT

) CASE NO: 2017-CP-10-5246

Gary Keisler, Individually and as Class  
Representative, John Does (1-50) and  
Jane Does (1-50),

Plaintiffs,

) ENTRY OF DEFAULT AGAINST WHELOCK  
) STREET CAPITAL, LLC D/B/A JOHN WIELAND  
) HOMES AND NEIGHBORHOODS, INC.

vs.

John Wieland Homes and  
Neighborhoods of the Carolinas, Inc. as  
successor by statutory merger to John  
Wieland Homes and Neighborhoods of  
South Carolina, Inc.; John Wieland  
Homes of Charleston, Inc.; John  
Wieland Homes, Inc. n/k/a John  
Wieland Homes and Neighborhoods of  
South Carolina; Builder Support Services  
of the Carolinas, Inc.;  
Wheelock Street Capital, LLC d/b/a John  
Wieland Homes and Neighborhoods,  
Inc.; Wheelock Street Real Estate Fund,  
LP; Wheelock Street Investment  
Management, LLC; RP Falcon  
Properties, LLC; Residential Partners,  
LLC; Middlesex Holdings, LLC; WS JWH,  
LLC; JWC Phoenix, LLC; Bridgemill Land,  
LLC; Annisquam Development, LLC; JW  
Land Investment, LLC; JWC Guilford,  
LLC; OOTB, LLC; JW Realty Associates,  
Inc. a/k/a Wieland Realty Associates,  
Inc.; John Wieland, individually; Sue  
Wieland; Lindsey Parker; Robert Parker;  
Jack Wieland; Jorge Medina; Jorge  
Medina a/k/a JMC Construction, Inc.  
a/k/a JMC Construction, LLC; John Does  
(20-50); and Jane Does (41-50); AC  
Construction, Inc.; Scott Parker,  
individually; Builders FirstSource –  
Southeast Group, LLC; Muhler LLC a/k/a  
The Muhler Company, Inc.; YKK (U.S.A),  
Inc.; Wheelock Street Real Estate Fund  
II, LP; Wheelock Street Real Estate Fund  
V, LP; WSREF, NRT, LLC; JW Homes, LLC;  
JWH RPIV, LLC; RP Falcon Land, LLC;

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SC Court of Appeals

BY

JULIE J. ARMSTRONG  
CLERK OF COURT

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Wieland Realty, LLC; RP Falcon Realty, )  
LLC; Residential Partners II, LLC; )  
Residential Partners III, LLC; Residential )  
Partners IV, LLC; Paul M. Vasquez; )  
Neighborhood Management Associates, )  
Inc.; Billie and Antonio Arias d/b/a )  
Antonio Arias Framing Construction; )  
Tru-Don Contracting, Inc.; Fine Builders, )  
LLC; Jose Alfredo Sandoval; Chad Larsen )  
d/b/a Chad Larsen Co.; Ivan Jose Paiz )  
d/b/a Jose Construction; William B. )  
Angel; East Coast Wall Systems, Inc.; )  
Tracyinne Construction a/k/a T&C )  
Construction, LLC; Frankcisco and )  
Andrea DaCosta d/b/a AAA Coastline, )  
Inc.; Jack R. Clark d/b/a Jack Clark )  
Construction, LLC; Alex Welch; Tracy )  
McCuiston d/b/a Mastercraft Interior )  
and Exterior; Universal Forest Products )  
Eastern Division, Inc. a/k/a UFP Eastern )  
Division, Inc.; Gonzalo Guerrero; A- )  
Marc, Inc.; Emmanuel Kehagis d/b/a )  
Creative Construction; Anthony Kirksey; )  
Polly S. Clark d/b/a Glenn Clark )  
Construction; Benjamin Mora a/k/a )  
Benjamin L. Mora d/b/a Mora )  
Construction f/k/a Mora's Construction )  
and Benjamin Mora Construction, LLC )  
n/k/a Mora Construction, LLC; Daniel L. )  
Rogers d/b/a Rogers Roofing Co., Inc. )  
n/k/a Dan Rogers Roofing, LLC; William )  
C. Mulhern d/b/a Bill's Painting; Mark A. )  
McFarland d/b/a In the Wind, Inc.; )  
Harbor Master, Inc.; Chad Hood; Kinco )  
Ltd. a/k/a Kinco, Inc.; Atrium )  
Companies, Inc. d/b/a Atrium Windows )  
and Doors, Inc. a/k/a HR Windows; The )  
Contractor Yard, Inc.; New Construction )  
Drywall Hanger, LLC f/k/a New )  
Construction Drywall Hanger, Inc.; Doug )  
Pilcher; and Michael Cassidy; DBC )  
Construction Services, LLC; Gerardo )  
Rosette Sanchez a/k/a GR Painting, LLC; )  
Jesus Mora a/k/a J. Mora Brick & Block )  
Mason, LLC; Juan Luis Sanchez a/k/a )  
Sanchez Brothers Painting; Latitude )  
Construction Services, LLC; Richard )

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Ditullio a/k/a RDT Contracting, LLC; )  
Valencia Medina; )  
 )  
Defendants.

TO: CHERYL D. SHOUN AND MARVIN D. INFINGER, ATTORNEYS FOR DEFENDANTS WHEELOCK STREET CAPITAL, LLC D/B/A JOHN WIELAND HOMES AND NEIGHBORHOODS, INC.

This matter comes before the Court upon motion of the Plaintiffs for execution of an Entry of Default against Defendants Wheelock Street Capital, LLC d/b/a John Wieland Homes and Neighborhoods Inc. arising out of a construction defects action brought by the Plaintiffs. Pursuant to Rule 53 of the South Carolina Rules of Civil Procedure the Plaintiffs also seek referral of the matter to a Special Referee.

It appears that Defendants Wheelock Street Capital, LLC d/b/a John Wieland Homes and Neighborhoods Inc. are in default on the Complaint filed by Plaintiffs as evidenced by the Affidavit of Default filed herewith as "Exhibit A" by counsel for the Plaintiffs.

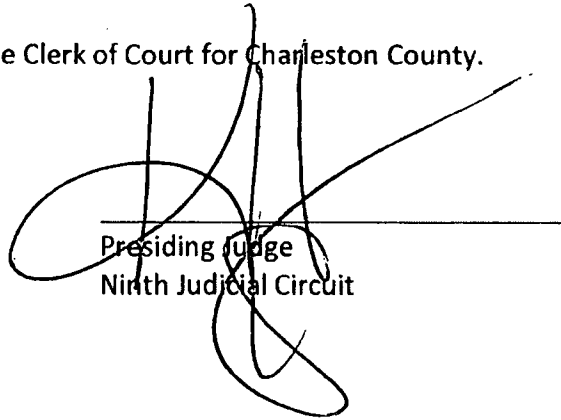
IT IS THEREFORE ORDERED that default be entered against Defendants Wheelock Street Capital, LLC d/b/a John Wieland Homes and Neighborhoods Inc. in favor of the Plaintiffs Gary Keisler, et al.. The Court will set a hearing as to the amount of damages upon the request of the Plaintiff.

IT IS FURTHER ORDERED that this action is referred to the Special Referee, to take testimony and direct entry of final judgment in this action under Rule 53, SCRPC, and all matters arising from or reasonably related to such action. The Special Referee has consented to hear this default judgment and damages matter and shall retain jurisdiction to perform all necessary acts incident to this action. Further, the Special Referee shall retain jurisdiction to hear any action contesting the validity of the judgment, necessary to enforce the judgment, and motions or actions to set aside Entry of Default or Default Judgment pursuant to the South Carolina Rules of Civil Procedure, including but not limited to Rule 60(b).

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Any and all hearings shall be held in the office of Daniel S. Slotchiver, Esquire, Special Referee for Charleston County, 44 State St., Charleston, South Carolina, and all Orders of the Special Referee shall be filed with the Clerk of Court for Charleston County.

IT IS SO ORDERED!



Presiding Judge  
Ninth Judicial Circuit

Charleston, South Carolina

June 4, 2018

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