

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

Rivers Lawton McIntosh, Circuit Court Judge

Alexander S. Macaulay, Circuit Court Judge and Trial Judge

Civil Action No.: 2005-CP-37-00788

Tri-County Development, and Melinda
Holbrooks,.....Respondents.

v.

Christopher A. Pierce,.....Appellant

v.

Jeff Gray.....Third Party Defendant

SUPPLEMENTAL RECORD ON APPEAL

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The Court: Thank you, sir.

Mr. Pierce: Thank you.

The Court: Mr. Dudley? I take it that you looked at Ms. Holbrooks deposition? Is there any dispute that Ms. Holbrooks has she been paid in full for the worked she performed?

Mr. Dudley: Yes for the work that she actually performed on that, she has been paid in full. The contract is with joint venture between the 2. The lien and the lawsuit is joint between the 2. It is a group. And again with the contract and the fact that Jeff Gray is paid her for her portion is irrelevant as to whether or not that joint venture between the 2 of them are still owed money under the contract. This whole thing about her -- That is like saying Melinda Holbrooks signed the contract and she paid off her subs that she wouldn't be entitled to anything. That just makes no sense.

The Court: Does the contract say this is -- Does the contract specify that they are joint venture?

Mr. Dudley: No sir. The last page says developer, Jeff Gray, contractor Melinda Holbrooks, 2 different signature lines. On the very last page where it spells both their names out. They both signed it. She is bound by it and she pulled the building permit. Again, this licensing issue has already been addressed by Judge Maddox.

The Court: Do you have a copy of his Order?

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)

CERTIFICATE OF REPORTER

I, THE UNDERSIGNED LESA D. WILLIAMS, OFFICIAL COURT REPORTER FOR THE TENTH JUDICIAL CIRCUIT OF THE STATE OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, ACCURATE AND COMPLETE TRANSCRIPT OF ALL REQUESTED PROCEEDINGS RECORDED AND EVIDENCE INTRODUCED IN THE TRIAL OF THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE COURT OF COMMON PLEAS, OCONEE COUNTY, SOUTH CAROLINA, ON THE 1ST DAY OF NOVEMBER 2010.

I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN, COUNSEL NOR INTEREST TO ANY PARTY HERETO.

February 24, 2012



LESA D. WILLIAMS
COURT REPORTER

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The undersigned hereby certifies that this Supplemental Record on Appeal contains all materials proposed to be included by any of the parties and not any other material.

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December 9, 2013

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PROOF OF SERVICE

I certify that I have served the **Supplement Record on Appeal** on Thomas E. Dudley, III, Esquire, Counsel for the Respondents at the address below by depositing a copy of same in the United States Mail, postage prepaid, on December 9, 2013.

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