

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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OCT 15 2019

S.C. SUPREME COURT

Appeal from Charleston County  
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

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Case No. 2015-CP-10-00955  
Appellate Case No. 2019-000238

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Ex Parte:

Builders Mutual Insurance Company and  
Nationwide Mutual 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; TriCounty 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.; WC 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 WC Services,  
Inc. are the

Respondents.

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**PLAINTIFFS-RESPONDENTS' DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

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*\*Counsel identified on following page*

Justin O. Lucey  
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Palmetto Pointe at Peas Island  
Condominium Property Owners  
Association, Inc., and Jack Love,  
Individually, and on behalf of all  
others similarly situated*

Plaintiffs-Respondents propose the following matter to be included in the Record on Appeal:

1. Original Summons and Complaint;
2. Second Amended Complaint;
3. Builders Mutual Motion to Intervene;
4. Nationwide Mutual Motion to Intervene;
5. Transcript of Hearing on Motion to Intervene (held 12/17/18);
6. Plaintiffs' Memo in Opposition to Motions to Intervene;
7. Form 4 Order filed December 18, 2018, denying Motions to Intervene;
8. Form 4 Order filed January 17, 2019, denying Motion for Reconsideration re: denial of Motions to Intervene; and
9. Court of Appeals Order filed May 1, 2019, authorizing trial to proceed.

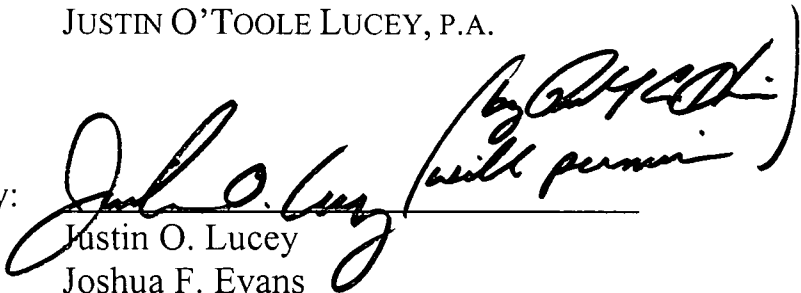
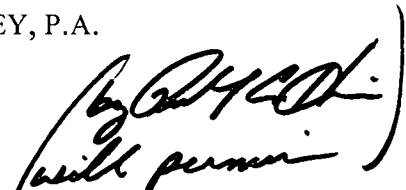
I certify that this designation contains no matter irrelevant to this appeal.

**<SIGNED ON THE FOLLOWING PAGE>**

Respectfully submitted,

JUSTIN O'TOOLE LUCEY, P.A.

By:

 (by )  
(with permission)

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Condominium Property Owners  
Association, Inc., and Jack Love,  
Individually, and on behalf of all  
others similarly situated*

Dated:

10/11/15

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OCT 15 2019

S.C. SUPREME COURT

Case No. 2015-CP-10-00955  
Appellate Case No. 2019-000238

Ex Parte:

Builders Mutual Insurance Company and  
Nationwide Mutual Fire 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; TriCounty 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.; WC 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  
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and Jack Love, Individually, and on behalf of all  
others similarly situated, Tri-County Roofing, Inc.,  
Stanley's Vinyl Fence Designs, and WC Services,  
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Respondents.

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**PROOF OF SERVICE**

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Condominium Property Owners  
Association, Inc., and Jack Love,  
Individually, and on behalf of all  
others similarly situated*

On behalf of Justin O'toole Lucey, P.A., counsel for Plaintiffs-Respondents, Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., and Jack Love, Individually, and on behalf of all others similarly situated, I certify that the **PLAINTIFFS-RESPONDENTS' DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** was served on all other parties to this appeal on October 11, 2019, a copy thereof deposited in the U.S. Mail properly posted for delivery to the following addressees:

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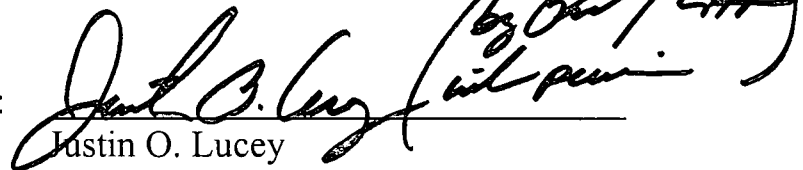
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Respectfully submitted,

By:

*(by Paul L. H.)*  
*(with pen)*  


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*Attorneys for Plaintiffs-Respondents  
Palmetto Pointe at Peas Island  
Condominium Property Owners  
Association, Inc., and Jack Love,  
Individually, and on behalf of all  
others similarly situated*

Dated:

10/11/19