

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Honorable Clifton Newman, Circuit Court Judge

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Trial Court Case No. 2015-CP-26-00279  
Trial Court Case No. 2015-CP-26-00118  
Trial Court Case No. 2015-CP-26-02718  
Trial Court Case No. 2015-CP-2604514  
Appellate Case No. 2019-001053

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Ex. Parte: Hartford Fire Insurance Company, Hartford Casualty Insurance Company, American Empire Surplus Lines Insurance Company, BITCO General Insurance Corporation, Clarendon National Insurance Company, Harleysville Insurance Company n/k/a Nationwide Insurance Company, Selective Insurance Company, Crum & Forster Specialty Insurance Company, and First Mercury Insurance Company, Appellants,

In Re: The Havens Condominium Association, Plaintiff,

v.

Centex Homes, et. al., Defendants.

The River Crossing Condominium Association, and Vincent J. Tamburro, on Behalf of Himself and Others Similarly Situated, Plaintiffs,

v.

Centex Homes, et. al., Defendants.

The Tanglewood Condominium Association, Plaintiff,

v.

Centex Homes, A Nevada General Partnership, et. al., Defendants.

**RECEIVED**  
OCT 31 2019  
S.C. SUPREME COURT

The Woodlands Condominium Association, Plaintiff,

v.

Centex Homes, a Nevada General Partnership, et. al., Defendants.

Of Which, The Havens Condominium Association, The River Crossing Condominium Association, Vincent J. Tamburro, The Tanglewood Condominium Association, The Woodlands Condominium Association, and Centex Homes, A Nevada General Partnership, are the Respondents.

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**HARTFORD FIRE INSURANCE COMPANY AND HARTFORD CASUALTY  
INSURANCE COMPANY'S MOTION IN SUPPORT OF APPLICATION OF  
STEVEN M. KLEPPER, ESQUIRE, FOR ADMISSION PRO HAC VICE**

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In accordance with the South Carolina Appellate Court Rules, Rule 404, the undersigned ("Movants") respectfully move for the admission *pro hac vice* of Steven M. Klepper, Esquire, of the law firm of Kramon & Graham, P.A., One South Street, Suite 2600, Baltimore, Maryland 21202, (410) 752-6030, for the purposes of a limited appearance as co-counsel on behalf of Hartford Fire Insurance Company and Hartford Casualty Insurance Company ("Hartford"), in the above-styled case and in support thereof states as follows:

1. Steven M. Klepper, Esquire, is not a resident of the State of South Carolina and is not admitted to practice in South Carolina. Mr. Klepper resides in Baltimore, Maryland and is a member in good standing of the Maryland State Bar and United States District Court for the District of Maryland. Mr. Klepper has never been subject to any disciplinary proceedings, disbarred, suspended or otherwise reprimanded for professional misconduct by any court, bar association, or other regulatory body.

2. In accordance with South Carolina Appellate Court Rules, Rule 404, Steven M. Klepper, Esquire, has submitted a verified application, certificate of good standing from the Maryland Bar, and made payment in the amount of \$250 to the Clerk of the South Carolina Supreme Court. Said items are attached hereto as Exhibit "A".

3. Steven M. Klepper, Esquire, agrees to comply with the provisions of the South Carolina Rules of Professional Conduct and consents to the jurisdiction of the courts and the Bar of the State of South Carolina.

4. Movants, Mark S. Barrow, Esquire, and Christy. E. Mahon, Esquire, of Sweeny, Wingate & Barrow, P.A., whose office is located at 1515 Lady Street, Columbia, South Carolina, 29201, are active members in good standing of the South Carolina Bar.

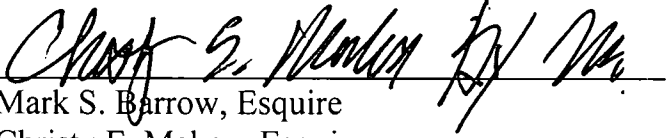
Pursuant to Rule 11, SCRPC, counsel certifies that consultation could not be timely held.

WHEREFORE, Movants respectfully request permission for the appearance for this cause only.

*~Signature page to follow~*

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.

  
Mark S. Barrow, Esquire  
Christy E. Mahon, Esquire  
1515 Lady Street  
Post Office Box 12129  
Columbia, South Carolina 29211

*Attorneys for Hartford Fire Insurance Company  
and Hartford Casualty Insurance Company,*

Columbia, South Carolina  
October 31, 2019

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Ex. Parte: Hartford Fire Insurance Company, Hartford Casualty Insurance Company, American Empire Surplus Lines Insurance Company, BITCO General Insurance Corporation, Clarendon National Insurance Company, Harleysville Insurance Company n/k/a Nationwide Insurance Company, Selective Insurance Company, Crum & Forster Specialty Insurance Company, and First Mercury Insurance Company, Appellants,

In Re: The Havens Condominium Association, Plaintiff,

v.

Centex Homes, et. al., Defendants.

The River Crossing Condominium Association, and Vincent J. Tamburro, on Behalf of Himself and Others Similarly Situated, Plaintiffs,

v.

Centex Homes, et. al., Defendants.

The Tanglewood Condominium Association, Plaintiff,

v.

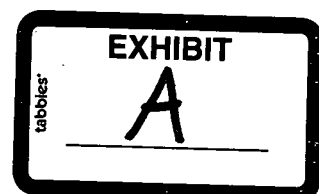
Centex Homes, A Nevada General Partnership, et. al., Defendants.

The Woodlands Condominium Association, Plaintiff,

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**S.C. SUPREME COURT**



v.

Centex Homes, a Nevada General Partnership, et. al., Defendants.

Of Which, The Havens Condominium Association, The River Crossing Condominium Association, Vincent J. Tamburro, The Tanglewood Condominium Association, The Woodlands Condominium Association, and Centex Homes, A Nevada General Partnership, are the Respondents.

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**PRO HAC VICE APPLICATION**

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**NOW COMES** Steven M. Klepper, applicant herein, and respectfully represents the following:

1. Applicant resides at: 2921 Guilford Avenue, Baltimore, Maryland 21218.
2. Applicant is an attorney and a member of the law firm of Kramon & Graham, P.A., One South Street, Suite 2600, Baltimore, Maryland 21202, 410-752-6030 (office), 410-539-1269 (facsimile).
3. Applicant has been retained personally or as a member of the above named law firm by Hartford Fire Insurance Company and Hartford Casualty Insurance Company to provide legal representation in connection with the above case now pending before the above-named court of the State of South Carolina.
4. Since 2001 applicant has been, and presently is, a member in good standing of the bar of the highest court of Maryland where applicant regularly practices law. Attached is a certificate of good standing.
5. Applicant is admitted to practice before the following courts:

- A. Maryland Court of Appeals;
- B. District of Columbia Court of Appeals;
- C. United States District Court for the District of Maryland;
- D. United States District Court for the District of Columbia;
- E. United States District Court for the Western District of Texas;
- F. United States District Court for the Western District of Tennessee;
- G. United States Court of Appeals for the District of Columbia Circuit;
- H. United States Court of Appeals for the Third Circuit;
- I. United States Court of Appeals for the Fourth Circuit;
- J. United States Court of Appeals for the Eighth Circuit;
- K. United States Court of Appeals for the Ninth Circuit;
- L. United States Court of Appeals for the Eleventh Circuit; and
- M. Supreme Court of the United States

Applicant is presently a member in good standing of the bars of those courts listed above.

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency.

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked.

8. Applicant has never had any certificate or privilege to appear and practice before any administrative body suspended or revoked.

9. Local counsel of record associated with applicant in this case is Mark S. Barrow and Christy E. Mahon of Sweeny, Wingate & Barrow, P.A., 1515 Lady Street, Post Office Box 12129, Columbia, South Carolina 29211, County of Richland, Telephone number: (803) 256-2233.

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases:

*Ex parte Builders Mutual Insurance Company*, Appellate Case No. 2019-000238, in the Supreme Court of South Carolina

Status: Pending  
Date of Application: September 5, 2019  
Local Counsel: Mark S. Barrow and Christy E. Mahon of Sweeny, Wingate & Barrow, P.A.  
Motion Granted: September 10, 2019

*Ex parte Hartford Fire Insurance Company*, Appellate Case No. 2017-002146, in the Supreme Court of South Carolina

Status: Dismissed, January 30, 2019  
Date of Application: March 9, 2018  
Local Counsel: Everett A. Kendall, II, and Christy E. Mahon of Sweeny, Wingate & Barrow, P.A.  
Motion Granted: March 12, 2018

*Hendrick Automotive Group v. Hartford Fire Insurance Co.*, Case No. 2:16-cv-1073-RMG, in the U.S. District Court for the District of South Carolina

Status: Dismissed with prejudice, October 28, 2016  
Date of Application: May 31, 2016  
Local Counsel: Morgan S Templeton, Wall Templeton & Haldrup, P.A.  
Motion Granted: June 2, 2016

*Hartford Fire Insurance Company v. Harleysville Mutual Insurance Co.*, in the U.S. District Court for the District of South Carolina, No. 2:11-cv-03081-RMG

Status: Dismissed, May 21, 2012  
Date of Application: December 16, 2011  
Local Counsel: Morgan S Templeton, Wall Templeton & Haldrup, P.A.  
Motion Granted: December 20, 2011

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize himself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 28<sup>th</sup> day of October, 2019.

  
Steven M. Klepper

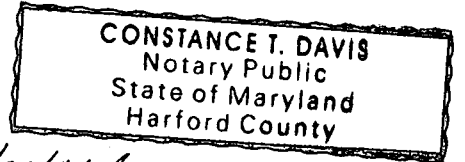
VERIFICATION

I, Steven M. Klepper, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

  
Steven M. Klepper

Subscribed and sworn to be me on this 28<sup>th</sup> day of October, 2019.

Constance J. Davis



Notary Public for the State of Maryland, County of Harford

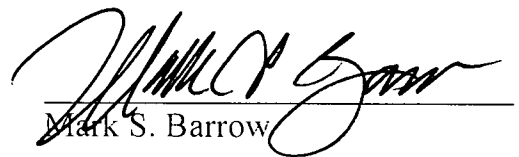
My Commission Expires: 11-30-2022

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 31 day of October, 2019, a true copy of this application has been served upon the South Carolina Supreme Court via hand delivery and opposing counsel by mailing a copy properly addressed with sufficient postage affixed thereto as follows:

South Carolina Supreme Court Office of Bar Admissions, P.O. Box 11330, Columbia, South Carolina 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court

Counsel of Record

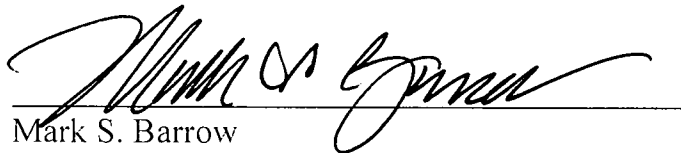
  
Mark S. Barrow

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 31 day of October, 2019.

**SWEENEY, WINGATE & BARROW, P.A.**

A handwritten signature in black ink, appearing to read "Mark S. Barrow", is written over a horizontal line.

Mark S. Barrow  
1515 Lady Street  
Post Office Box 12129  
Columbia, South Carolina 29211

*Attorney for Appellants  
Hartford Fire Insurance Company and Hartford  
Casualty Insurance Company*

**Court of Appeals  
of Maryland**  
Annapolis, MD



***CERTIFICATE OF GOOD STANDING***

*STATE OF MARYLAND, ss:*

*I, Suzanne Johnson, Clerk of the Court of Appeals of Maryland,  
do hereby certify that on the twelfth day of December, 2001,*

**Steven Michael Klepper**

*having first taken and subscribed the oath prescribed by the Constitution and  
Laws of this State, was admitted as an attorney of said Court, is now in good  
standing, and as such is entitled to practice law in any of the Courts of said  
State, subject to the Rules of Court.*

**In Testimony Whereof,** *I have hereunto  
set my hand as Clerk, and affixed the Seal  
of the Court of Appeals of Maryland, this  
twenty sixth day of August, 2019.*

A handwritten signature in black ink, appearing to read "Suzanne Johnson", written over a horizontal line.

*Clerk of the Court of Appeals of Maryland*

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Clifton Newman, Circuit Court Judge

Case No. 2015-CP-26-00279  
Appellate Case No. 2019-001053

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S.C. SUPREME COURT

Ex Parte: Hartford Fire Insurance Company and Hartford Casualty Insurance Company,  
Appellants,

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

v.

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,

Of which The River Crossing Condominium Association, and Vincent J. Tamburro, on behalf of himself  
and others similarly situated, and Centex Homes, a Nevada General Partnership, are the Respondents.

**PROOF OF SERVICE**

I certify that I have served the Motion in Support of Application of Steven M. Klepper, Esquire, For Admission Pro Hac Vice to the South Carolina Supreme Court under Rule 204, SCACR, on Respondents and the other parties of record by depositing a copy of it in the United

States Mail, postage prepaid, on October 31, 2019 addressed to their attorneys of record, listed as follows:

Phillip W. Segui, Jr., Esquire  
Mary Abigail Young, Esquire  
Segui Law Firm  
864 Lowcountry Blvd. #A  
Mt. Pleasant, SC 29464  
Attorneys for Respondents

John T. Chakeris, Esquire  
Chakeris Law Firm  
231 Calhoun Street  
Charleston SC 29403  
Attorney for Respondents

Shaun W. Cranford, Esquire  
Cranford Law  
P.O. Box 50684  
Columbia, SC 29250  
Attorney for Respondents

Thomas C. Hildebrand, Jr., Esquire  
Will G. DesChamps, IV, Esquire  
Parker Poe Adams & Bernstein LLP  
200 Meeting St., Suite 301  
Charleston, SC 29401  
Attorneys for Respondents

Laura F. Locklair, Esquire  
Boyle, Leonard & Anderson P.A.  
28 Hasell Street  
Charleston, SC 29401  
Attorney for Respondents

Lawrence M. Hunter, Jr., Esquire  
Hunter & Foster, P.A.  
Post Office Box 10309  
Greenville, SC 29603  
Attorney for Appellant Bitco General Insurance Corporation

Clay McCollough, Esquire  
Ross A. Appel, Esquire  
McCullough Kahn, LLC  
359 King Street  
Suite 200  
Charleston, SC 29401  
Attorneys for Appellant American Empire Surplus Lines Insurance Company

Robert C. Calamari, Esquire  
Patrick Francis O'Dea, Esquire  
Matthew Abee, Esquire  
Nelson Mullins Riley & Scarborough, LLP  
3751 Robert M Grissom Parkway, Suite 300 (29577-3165)  
Post Office Box 3939  
Myrtle Beach, SC 29578  
Attorney for Appellants Selective Insurance Company of South Carolina and Harleysville  
Insurance Company n/k/a Nationwide Insurance Company

Neil S. Haldrup, Esquire  
Thomas B. Boger, Esquire  
Wall Templeton & Haldrup, P.A.  
145 King Street, Suite 300  
Post Office Box 1200  
Charleston, SC 29401  
Attorneys for Appellant Clarendon National Insurance Company as successor in interest to  
Clarendon America Insurance Company

John S. Wilkerson, III, Esquire  
R. Hawthorne Barrett, Esquire  
Turner Padgett Graham & Laney, P.A.  
PO Box 1473  
Columbia, SC 29202  
Attorneys for Crum & Forster Specialty Insurance Company and First Mercury Insurance  
Company

October 31, 2019

SWEENEY, WINGATE & BARROW, P.A.



Mark S. Barrow, Esquire  
Christy E. Mahon, Esquire  
1515 Lady Street  
Post Office Box 12129  
Columbia, South Carolina 29211  
803-256-2233

Attorneys for Appellants Hartford Casualty  
Insurance Company and Hartford Fire Insurance  
Company