

RECEIVED

May 29 2020

Transcript Request Form

SC Court of Appeals

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter [and](#) to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name <u>William H. Cox, III</u>		Phone Number <u>843-522-2400</u>	Email Address <u>bgiles@hgpha.com</u> <u>wcox@hgpha.com</u>
Mailing Address <u>Post Office Box 40</u>		City <u>Beaufort</u>	State <u>SC</u> Zip Code <u>29901</u>
Transcript Information			
Docket Number <u>2018-CP-08-02547</u>		Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>Builders FirstSource Southeast Group, LLC v. ECC Contracting LLC, MI Windows and Doors, Inc., Hurley Services, LLC, Charleston Exteriors LLC</u>	
Date(s) of Proceeding <u>October 18, 2019</u>		Circuit X Family <input type="checkbox"/>	County <u>Berkeley</u>
Presiding Judge <u>Clifton Newman</u>		Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Court Reporter(s) <u>Krista Nicole Carney</u>		Opposing Counsel <u>L Dean Best</u> <u>M. Shanter Chaparro</u> <u>F. Heyward Grimball</u> <u>James H. Elliott, Jr.</u> <u>Derek Michael Newberry</u> <u>Clay Olson</u>	

Requestor's Signature: William H. Cox III
(Typed name will serve as signature)

Date: March 3, 2020

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only		
Full Name _____	Date Received _____	Email Address _____

Notice of Estimate to Requestor Party			
Date; _____		Number of Pages; _____	
Estimated Amount _____			
Mailing Address for Payment	City	State	Zip Code
_____	_____	_____	_____

Giles, Bernadene A.

From: Bernadene Giles
Sent: 5/6/2020 11:36 AM
To: transcripts@sccourts.org
CC: Witt Cox
BCC:
Attachments: 514226.pdf
Priority: Normal
Request: None
Security: Normal
Deliver After 0 days(s)
Subject: No Response from Court Reporter

RECEIVED
May 29 2020
SC Court of Appeals

Builders FirstSource Southeast Group LLC v. ECC Contracting , LLC, MI Windows and Doors, Inc. Hurley Services, LLC And Charleston Exteriors, LLC

2018-CP-08-02547

Court Reporter: Krista Nicole Carney

Request: March 3, 2020

Dear Sir or Madam:

Please be advised that the attached Transcript Request Form was sent to both the Court and Ms. Carney on March 3rd. As of today's date, we have not yet received the transcript nor an invoice for payment from Ms. Carney. I would appreciate you letting me know what further steps, if any, I need to do to obtain the transcript. Thank you for your consideration and assistance in this matter.

Sincerely,

Bernadene A. Giles

Paralegal for Thomas A. Bendle, Jr. and

William H. Cox, III

Howell, Gibson and Hughes PA

Post Office Box 40

25 Rue Du Bois

Beaufort, SC 29901

bgiles@hgpha.com <<mailto:bgiles@hgpha.com>>

843-522-2400

***If you would, please print out copies of these documents and/or save them to your file.
Our office is now serving all written discovery requests and responses by e-mail only. If
you would prefer service by U.S. mail, however, please let us know, and we will be glad to
send you a hard copy.***

Giles, Bernadene A.

From: Bernadene Giles
Sent: 4/2/2020 09:15 AM
To: kncarney@sccourts.org
CC:
BCC:

Attachments:

Priority: Normal
Request: None
Security: Normal
Deliver After 0 days(s)
Subject: FW: Request for Transcript

Bernadene A. Giles
Paralegal for Thomas A. Bendle, Jr. and
William H. Cox, III
Howell, Gibson and Hughes PA
Post Office Box 40
25 Rue Du Bois
Beaufort, SC 29901
bgiles@hgpha.com <mailto:bgiles@hgpha.com>
843-522-2400

If you would, please print out copies of these documents and/or save them to your file. Our office is now serving all written discovery requests and responses by e-mail only. If you would prefer service by U.S. mail, however, please let us know, and we will be glad to send you a hard copy.

From: Bernadene Giles [mailto:/o=First Organization/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9261745ad9c478b8ed6c133106cb2e3-BGile]
Sent: Monday, March 16, 2020 09:10 AM
To: kncarney@sccourts.org
Subject : RE: Request for Transcript

Ms. Carney:

I am just confirming that you received the below request on March 3rd.

Bernadene A. Giles
Paralegal for Thomas A. Bendle, Jr. and
William H. Cox, III
Howell, Gibson and Hughes PA

Post Office Box 40
25 Rue Du Bois
Beaufort, SC 29901
bgiles@hgpha.com <mailto:bgiles@hgpha.com>
843-522-2400

If you would, please print out copies of these documents and/or save them to your file. Our office is now serving all written discovery requests and responses by e-mail only. If you would prefer service by U.S. mail, however, please let us know, and we will be glad to send you a hard copy.

From: Bernadene Giles [mailto:/o=First Organization/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9261745ad9c478b8ed6c133106cb2e3-BGile]
Sent: Tuesday, March 3, 2020 09:53 AM
To: transcripts@sccourts.org; kncarney@sccourts.org
Subject : Request for Transcript

Ms. Carney:

Please find attached request for a hearing transcript regarding the matter of *Builders FirstSource Southeast Group, LLC v. ECC Contracting LLC, MI Windows and Doors, Inc., Hurley Services, LLC, Charleston Exteriors LLC*; 2018-CP-08-02547, which was held in

Berkeley County on October 18, 2019.

Bernadene A. Giles

Paralegal for Thomas A. Bendle, Jr. and

William H. Cox, III

Howell, Gibson and Hughes PA

Post Office Box 40

25 Rue Du Bois

Beaufort, SC 29901

bgiles@hgpha.com <mailto:bgiles@hgpha.com>

843-522-2400

If you would, please print out copies of these documents and/or save them to your file. Our office is now serving all written discovery requests and responses by e-mail only. If

you would prefer service by U.S. mail, however, please let us know, and we will be glad to send you a hard copy.

**HOWELL, GIBSON AND HUGHES, P.A.
ATTORNEYS AT LAW**

Post Office Box 40
Beaufort, South Carolina 29901-0040
www.hghpa.com

STEPHEN P. HUGHES
PATRICK M. HIGGINS *
ROBERT W. ACHURCH III *
DAVID S. BLACK*
MARY BASS LOHR
THOMAS A. BENDLE, JR.

WILLIAM H. COX, III
NATHAN E. AKERS
CATHERINE L. FLOEDER

* Certified Mediator

25 RUE DU BOIS
LADY'S ISLAND
BEAUFORT, SOUTH CAROLINA 29907

TELEPHONE: 843 - 522-2400
FAX NUMBER: 843 - 522-2429
WRITER'S DIRECT: 843-522-2426
DIRECT E-MAIL: cfloeder@hghpa.com
PARALEGAL E-MAIL:
mirion@hghpa.com

RECEIVED

May 29 2020

SC Court of Appeals

May 28, 2020

Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Builders FirstSource Southeast Group, LLC v. ECC Contracting LLC,
MI Windows and Doors, Inc., Hurley Services, LLC, Charleston Exteriors LLC
Case No.: 2020-000415
Civil Action No.: 2018-CP-08-02547
Our File No: 11742 1 SPH

Dear Ms. Kitchings:

This letter is to advise the Court of Appeals that counsel for Appellant Builders FirstSource Southeast Group, LLC is still awaiting receipt of a copy of the transcript of the October 18, 2019 hearing on Respondents' Motion for Summary Judgment. The transcript request was originally sent to both Court Administration and the Court Reporter, Krista Carney, on March 3, 2020. Follow up emails were sent to Ms. Carney on March 16, 2020, and April 2, 2020. On May 6, 2020, Appellants reached out to Court Administration via the email address transcripts@sccourts.org advising that we had received no response from the Court Reporter. Copies of said correspondence are enclosed herewith.

To date, our office has heard nothing, and we have yet to receive an invoice for the transcript. We will continue to try to reach out to Court Administration and to Ms. Carney. However, please advise if the Court of Appeals recommends another course of action.

Additionally, per South Carolina Appellate Court Rule 208(a)(1), it is our understanding and position that Appellants' Initial Brief will not be due until thirty (30) days after we are in receipt of said transcript.

With kindest regards, I am

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.

/Catherine L. Floeder

Catherine L. Floeder

CLF/bg

Enclosures

cc: All Counsel of Record