

HOWELL, GIBSON AND HUGHES, P.A.  
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\* Certified Mediator

May 28, 2020

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

RECEIVED  
JUN 10 2020  
SC Court of Appeals

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](mailto: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

**Giles, Bernadene A.**

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**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

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

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SC Court of Appeals

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) <<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  
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**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 3<sup>rd</sup>.

Bernadene A. Giles  
Paralegal for Thomas A. Bendle, Jr. and  
William H. Cox, III  
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**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

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William H. Cox, III

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

## Transcript Request Form

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](mailto: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			
<b>Full Name</b> <u>William H. Cox, III</u>	<b>Phone Number</b> <u>843-522-2400</u>	<b>Email Address</b> <u>bgiles@hghpa.com</u> <u>wcox@hghpa.com</u>	
<b>Mailing Address</b> <u>Post Office Box 40</u>	<b>City</b> <u>Beaufort</u>	<b>State</b> <u>SC</u>	<b>Zip Code</b> <u>29901</u>
Transcript Information			
<b>Docket Number</b> <u>2018-CP-08-02547</u>	<b>Case Caption</b> (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>		
<b>Date(s) of Proceeding</b> <u>October 18, 2019</u>	<b>Circuit X</b> <b>Family</b> <input type="checkbox"/>	<b>County</b> <u>Berkeley</u>	
<b>Presiding Judge</b> <u>Clifton Newman</u>	<b>Expedited</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Court Reporter(s)</b> <u>Krista Nicole Carney</u>	<b>Opposing Counsel</b> <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>		

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**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		
<b>Full Name</b> _____	<b>Date Received</b> _____	<b>Email Address</b> _____

<b>Notice of Estimate to Requestor Party</b> Date: _____ Number of Pages: _____ Estimated Amount _____			
<b>Mailing Address for Payment</b> _____	<b>City</b> _____	<b>State</b> _____	<b>Zip Code</b> _____

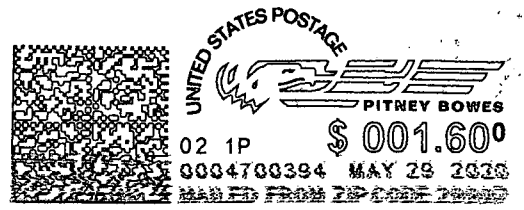
TAB/WHC  
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