

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

SEP 02 2020

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas
Kristi F. Curtis, Circuit Court Judge

SC Court of Appeals

Case No. 2018-CP-08-00266
Case No. 2018-CP-08-01008
Appellate Tracking No.: 2019-00169

Aracelis Santos, Appellant,

vs.

Harris Investment Holdings, L.L.C., Respondent,

REPLY TO RESPONDENT'S RETURN

As authorized by Rule 240(f), *South Carolina Appellate Court Rules*, the Appellant submits this brief reply to correct two material misrepresentations of fact contained in Respondent's August 28, 2020 Return.

First, Respondent argues that the Appellant fails to appeal the Magistrate's Order of Ejectment. This is not correct. The Respondent blocked any appeal by destroying the subject matter of the suit, rendering any appeal an academic exercise with no practical effect. As the numerous cases cited in Appellant's motion (and brief) hold: the appellate courts do not issue opinions on matters in which the decision can have no practical effect, and since the building no longer exists, a successful appeal can have no practical effect. It would be an abuse of limited

judicial resources to burden the Court with a case on which a successful appeal could have no practical effect. Had the Respondent not bulldozed the building, the Court could have meaningfully addressed whether the Magistrate correctly concluded that the Appellant created a nuisance, or whether the Town simply manufactured police calls in order to justify what it had already decided to do, which was run an Hispanic crowd out of town. The Respondent attempts to gloss over this point with: “To review the lower court’ rulings, this Court requires access only to the record on appeal, not to the subject building.” (Return at page 6) Such a statement ignores the established case law on mootness, holding that the appellant courts will not review cases on which their decision will have no “practical effect.” Obviously, the Appellant cannot hold on to her tenancy in a building that no longer exists.

There is still plenty of important legal analysis to do in this case reviewing the issue of the Magistrate’s large award of attorney’s fees, but, unfortunately, the issue of whether the Magistrate did or did not properly eject the tenant is mooted by the destruction of the building because the landlord preempted the Court’s ability to provide anything other than an advisory opinion with no practical effect. The Respondent’s conduct during the appeal prevents meaningful relief.

The second misrepresentation is more disturbing. On pages 2 and 5 of its Return, Harris Investments tells this Court: “[**Harris Investments**] **demolished its building in March of 2019 after making the decision to redevelop the property following the discovery of significant levels of asbestos in the building, remediation of which would have been prohibitively expensive.**” (Respondent’s Return at page 2) See also page 5 of the Return: “In the meantime, Harris Investments decided to redevelop the property **following its discovery of significant levels of asbestos in the building** and preliminary efforts at remediation. (emphasis added) First, Harris Investments knew there was no significant asbestos in the building, and second Harris Investments

has not redeveloped anything. The only explanation for these false statements is that Harris Investments deceived its attorney and withheld information about its true purpose, which is why the case should be remanded for the development of an evidentiary record of facts occurring following the filing of the Notice of Appeal, which can only be done by remand. Without a remand, the Court will never be apprised of the true facts, which are these:

On December 12, 2018, Harris Investments applied to the City of Hanahan for a demolition permit for “selective interior demolition—fixtures, non-bearing partition walls, kitchen equipment, flooring, acoustic ceilings, items non-structural.” (Exhibit A)

The Contractor, which Appellant reasonably believes is an arm of the Landlord, explained in its follow up letter of December 19, 2018, to the Town that “The scope of work we are applying for at 5901 Loftis Road includes interior demolition only including removal from interior walls and ceilings, non-load bearing interior partitions, wood doors and frames, furniture (both attached and non-fixed), shelving, cabinets, flooring, kitchen equipment, plumbing fixtures and light fixtures to make ready for reconfiguration of interior space along with new finishes.” (Exhibit B) The Contractor is related to the Landlord in some fashion because its registered agent for service of process is Costa DeLuca, the Landlord’s representative in the underlying trial. The Contract Price for this work was \$5,000.00. (Exhibit C) The Contractor, Tri Bay Construction, is a Limited Liability Company, whose registered agent for service of process is Costa DeLuca, the Landlord’s representative in this case.

On January 24, 2019, the scope of work changed to “razing the entire structure.” (Exhibit D). As part of this application, the Contractor supplied to the Town of Hanahan a report from ECS Labs dated January 23, 2019, which included a laboratory analysis of building samples. Not only is the Landlord’s application for demolition silent on putative asbestos, but laboratory testing

confirmed there is no significant asbestos present, which confirms that the Landlord's statement to this Court is false. (Exhibit E) As a result of this inconvenient truth, Harris Investments now finds itself in a representational cul-de-sac created by its misrepresentations. According to the Landlord/Contractor's applications and reports to the Town of Hanahan, there was no significant asbestos in the building, which is, at the risk of sounding informal, obvious since it knocked the building to the ground with a bulldozer. The Court can take judicial notice that knocking a building down is not an acceptable method of asbestos mitigation. Having mooted the Appellant's appeal of ejection to an academic exercise, Harris Investments seeks to push its fraud one step further and draft the Court as an unwitting accessory by claiming that the Appellant is "waiving" her right to appeal an ejection from a building that no longer exists, which is the Yiddish definition of "chutzpah." (The traditional definition of chutzpah is a defendant who kills his parents and asks for mercy from the Court on account of being an orphan.) At the same time, Harris compounds its chutzpah by misrepresenting to this Court the circumstances under which it razed the building because it knows the record cannot be developed on appeal, and it thinks it can get away with its criminal conduct because it occurred after Appellant filed her Notice of Appeal. The record on Harris Investments' post appeal conduct is undeveloped for the obvious reason that it engaged in its contumacious conduct while the case was on appeal, and Appellant seeks nothing more than the opportunity to present a full and complete record of its relevant conduct to the Court because it shines a bright light on the Respondent's running up a \$55,000.00 attorney's fee in a Magistrate Court's case and Respondent's unremitting efforts to create procedural traps instead of addressing the merits of the case.

The final arguments advanced by Harris Investments make the Appellant's case for her. The Respondent cites a line of cases for the proposition that because the lease had expired, either

the Sheriff could have put the Landlord in “peaceful” possession, or the Landlord could have retaken the premises provided it did so without a “breach of the peace.” First, whether the lease had expired or not is an unsettled legal question because: (1) Harris Investments purchased the property subject to the Tenant’s leases with its predecessor, and those leases contained rights of renewal, (2) ¶ 22 of the Harris Investment Lease (Exhibit B to Respondent’s Return) provides that if the Tenant holds over, the rent is set at 150% of the base rate, and (3) the Tenant occupied the property pursuant to an Appeal Bond Order. But assuming *arguendo* that Respondent is correct that the lease expired, using its expiration as justification for bulldozing the building and Appellant’s contents promotes chutzpah to a whole new level because when Appellant’s lawyer rushed to the premises and to the Court to try to stop the destruction, the City’s armed guards prevented access to the building. They were not Sheriff’s Deputies—who Respondent says could have put Harris in “peaceable possession”—but rather Hanahan City Police Officers, a police agency whom Appellant had sued for violating her civil rights, and who had no authority in a landlord tenant matter. The Respondent cites an entire line of cases in the world’s largest footnote for the proposition that it could either have applied to the Sheriff to put the Appellant out or use “self-help” provided it could be done without a “breach of the peace.” Appellant is confident that bulldozing a building and a tenant’s contents is a “breach of peace.” When Appellant applied to the Court for a temporary restraining Order on March 19, 2019, an application pending at the time Landlord took matters into its own hands (Exhibit F), armed **City** police officers, not Sheriff’s Deputies refused access. (In the event the Court is curious why a motion for temporary restraining order filed March 19th was not timely scheduled, the following month Appellant’s counsel took a ten-month cardiology sabbatical.) The Court must recall that Hanahan is the same entity that tormented the Appellant so significantly that it had to pay to the Appellant a sum of money in

exchange for a dismissal of her tort claims against it. (The City's numerous violations of Appellant's civil rights is discussed more fully in Appellant's initial brief.) Likewise, bulldozing the building and all of its contents is not a "peaceful" retaking. The point the Respondent refuses to acknowledge is that the Landlord's acts occurred while the case was on appeal, and of course, Respondent is correct: nothing prevents the Appellant from filing a new lawsuit against Respondent, against the City, and against the contractor who destroyed her equipment, but this fact does not address the fact that the Landlord's criminal behavior has a direct impact on the issues now pending before the Court, and the Landlord seeks to prevent the Court from considering them because it committed its acts after a Notice of Appeal. So, either the Appellant is deprived of the opportunity to present these post appeal facts to the Court of Appeals on a fully developed record, or the Respondent gets to profit from its own wrongdoing in furtherance of its effort to retain its attorney's fees award. The Appellant respectfully submits that the Respondent Court should not be allowed to prevent the Court from considering pertinent facts in evaluating the Respondent's claim to a large attorney's fees award.

Based on the foregoing, the Appellant respectfully requests that the attorney's fees award should be remanded to the Magistrate to allow the Appellant an opportunity to make a full record of the Landlord's acts that occurred following the filing of the Notice of Appeal.

Respectfully submitted.

September 1, 2020



Thomas R. Goldstein, S.C. Bar #2186
Belk, Cobb, Infinger & Goldstein, P.A.
P. O. Box 71121
Charleston, South Carolina 29415-1121
(843) 554-4291 (843) 554-5566 (fax)
E-mail: tgoldstein@cobblaw.net
ATTORNEYS FOR APPELLANT

EXHIBIT A



CITY OF HANAHAN PERMIT APPLICATION

TMS #: 265-15-02-068

For Official Use Only	
Date:	<u>12-29-2018</u>
Permit Number:	<u>2018-01288</u>

1) Job Address:
5901 Loftis Road Hanahan, SC 29410
 Street Address Suite/Apt # City, State Zip

2) Property Owner:
Harris Investment Holdings 2650 Holcomb Bridge Road #630 Alpharetta GA 30022 813-514-1729
 Name Street Address Suite/Apt # City, State Zip Phone #

3) Contractor:
Tri-Bay Construction LLC/Mark A Bay PO Box 620192 Oviedo FL 32765 407-864-3229
 Name Street Address Suite/Apt # City, State Zip Phone #

4) Building Use: Residential () Business (X) Industrial () Merchantile () Storage ()

5) Class of Work: New () Addition () Alteration () Repair () Demolition (X) Move ()

6) Describe Work: Selective Interior demolition - fixtures, non bearing partition walls, kitchen equipment, flooring, acoustic ceilings, items non-structural

7) Construction Cost: \$ 5,000

8) Hanahan Business License #: _____ 9) SC License #: G1211571 Exp. 10/31/2020

OFFICIAL USE ONLY

Flood Zone: Yes () No () Type: _____	A) Type of Construction: <u>VB</u>	F) Size of Bldg Sq. Ft.: _____
Community Panels #'s: <input type="checkbox"/> 45015C0685D <input type="checkbox"/> 45015C0695D	B) No. of Stories: _____	G) Occupancy Group: <u>MNH</u>
<input type="checkbox"/> 45015C0705D <input type="checkbox"/> 45015C0715D	C) No. of Dwelling Units: _____	H) Max. Occupant Load: _____
Effective Date: <u>October 16, 2003</u>	D) Fire Zone: _____	I) Zoning District: _____
	E) Sprinkler Req'd Yes () No ()	

EVALUATION COST: \$ _____ DOUBLE FEE: YES () NO () PERMIT FEE: \$ 80-

Building Official's comments: _____

APPROVALS

Application Received by: _____ Application Approved by: _____
 Plan Review By: _____ Zoning Approval by: _____
 HFD Approval by: _____ Stormwater Approval by: _____
 Approved for Issuance by: _____

Building	\$
Plan Review Fee (1/2 of Building)	\$
Electrical	\$
Plumbing	\$
Mechanical	\$
Gas	\$
Safety	\$
Manufactured Home Total Elect. ()	\$
T-Pole	\$
Demolition	\$ <u>80-</u>
Swimming Pool	\$
Impact Fee	\$
Stormwater/Erosion Fee	\$

NOTICE: This permit shall become invalid unless the work authorized by the permit is commenced within six (6) months after its issuance, or if the work authorized by the permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating.

[Signature] 12-12-18
 Signature of Property Owner Date
CEO For Harris Investment Holdings LLC

[Signature] December 12, 2018
 Signature of Contractor or Authorized Agent Date
 Revised 8/26/2013

EXHIBIT B

Tri-Bay Construction, LLC

PO Box 620192, Oviedo FL 32765

407-864-3229 Cell

407-971-0134 Office

866-898-1598 Fax

December 19, 2018

City of Hanahan Building Department
Att: Kappy Fesler
1255 Yeamans Hall Road
Hanahan SC 29410
afesler@cityofhanahan.com

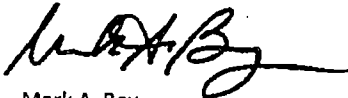
Re: 5901 Loftis Road Demolition Permit

Ms. Fesler,

The scope of work we are applying for at 5901 Loftis Road includes interior demolition only including drywall removal from interior walls and ceilings, non-load bearing interior partitions, wood doors and frames, furniture (both attached and non-fixed), shelving, cabinets, flooring, kitchen equipment, plumbing fixtures, and light fixtures to make ready for reconfiguration of interior space along with new finishes. Selective demolition of obsolete or inoperable HVAC equipment and ductwork as required.

All electrical fixtures, wiring, receptacles and switches will remain intact or in safe condition until new design is completed and reconstruction is permitted. No work to roof structure, wood trusses, steel bar joists or other load bearing components. Exterior doors and windows will remain until redesign is complete.

Sincerely



Mark A. Bay
President
Tri-Bay Construction LLC
G1221571
CBC1259387
407-864-3229

EXHIBIT C

Tri-Bay Construction, LLC

PO Box 620192, Oviedo FL 32765

407-864-3229 Cell

407-971-0134 Office

866-898-1598 Fax

II. Contract Price

A. In addition to any other charges specified in this agreement, Owner agrees to pay Contractor \$5,000.00 for completing the Work described as the Staff Zone Hanahan Demolition.

III. Scheduled Start of Construction

A. Work under this agreement will begin when requested by Owner in a notice to proceed.

IV. Scope of Work

A. Contractor shall supervise and direct the Work and accepts responsibility for construction means, methods, techniques, sequences and procedures required to complete the Staff Zone Hanahan Demolition in compliance with the Contract Documents.

B. Contractor is responsible for coordination of the various trades and deliveries of equipment, materials and supplies to minimize interference which could delay the Work or pose a hazard to life or property. Contractor shall be responsible for allocation of tasks between trades and will be the final authority on location and routing of equipment and storage of materials on the Job Site.

C. Contractor shall make a best effort to adopt and implement policies and practices designed to minimize Work stoppages, slowdowns, disputes or strikes. Except as may be specifically provided elsewhere in this or a separate agreement, Contractor is not liable to Owner for damages suffered by Owner as a result of Work stoppages, slowdowns, disputes or strikes. Contractor shall allocate labor tasks among the various trades in accordance with local custom, rules, jurisdictional awards, regulations, and decisions, regardless of any classification by the Contract Documents.

D. Contractor shall provide to Owner a series of job photographs, taken no less than weekly, which document Work progress.

E. This agreement is the product of a confidential relationship between Contractor and Owner requiring that both Parties exchange confidential information, the disclosure of which would constitute a loss. Except as provided below, Contractor and Owner agree not disclose or use for any purpose other than completion of the Staff Zone Hanahan Demolition all or any portion of the Contract Documents, cost estimates, diagrams, records, reports, computer data or any other information concerning the Staff Zone Hanahan Demolition for 5 years from the date of this agreement without mutual consent of Contractor and Owner. The following are exceptions: (1) Information required by the recipient to complete the Staff Zone Hanahan Demolition, (2) Information known to the recipient before disclosure, (3) Information lawfully obtained by the recipient from a third party under no obligation of confidentiality, (4) Information generally known or publicly available other than by unauthorized disclosure, (5) Information developed independently by the recipient prior to disclosure, and (6) Disclosure required by legally constituted authority, but only after notification of each Party to this agreement. In the event of a breach or threatened breach or intended breach of this confidential relationship by either Party, the other Party, in addition to any other rights and remedies available at Law or in equity, shall be entitled to preliminary and final injunctions, enjoining and restraining such breach or threatened breach or intended breach. Contractor and Owner shall, by contract or Subcontract,

South Carolina Secretary of State

Business Entities Online

File, Search, and Retrieve Documents Electronically

Tri-Bay Construction, LLC

Corporate Information

Entity Type Limited Liability Company**Status** Good Standing**Domestic/Foreign** Foreign**Incorporated State** Florida

Important Dates

Effective Date 06/07/2018**Expiration Date** N/A**Term End Date** N/A**Dissolved Date** N/A

Registered Agent

Agent Costa DeLuca**Address** 112 Spring Street
Summerville, South Carolina 29485

EXHIBIT D

Larry Sturdivant

From: Mark Bay <Mark@tribay.com>
Sent: Thursday, January 24, 2019 10:42 AM
To: Angela Fesler
Cc: Larry Sturdivant
Subject: [EXTERNAL] RE: 5901 Loftis Road Permit # 2018-01288
Attachments: 49-8702 - Hanahan OfficeWarehouse Asbestos Survey.pdf;
DemoChangeinScopeofWork.BuildingDepartment.January24.2019.pdf

Kappy

Good morning! Please find attached our letter requesting a change in scope of work and an expansion (revision) to our Demolition Permit to include razing the entire structure including foundations and concrete slab for the building on 5901 Loftis Road. I have also attached the Completed Asbestos Report which has been filed accordingly with the proper State of South Carolina Agencies.

Once the permit is revised would it be safe to assume that the owner can notify utilities or is that something the Building Department does? We of course will need the Gas Lines, water and Electric Power removed from the building and as you know the timing of such will be somewhat important to this situation. If you would let me know if there are other local and/or State requirements that need to be put in place prior to or post-remediation I can discuss carefully with the Owner. If this is worthy of a discussion or too lengthy for an email I will make myself available to discuss.

Thank you in advance

Sincerely

Mark Bay, President

407-971-0134 Office

407-864-3229 Cell

866-898-1598 Fax

www.tribay.com



Celebrating 6 Years in Business! Thank you!



"Built to Last"

CBC1259387

PO Box 620192

Oviedo, FL 32765

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Tri-Bay Construction, LLC

PO Box 620192, Oviedo FL 32765

407-864-3229 Cell

407-971-0134 Office

866-898-1598 Fax

January 24, 2019

City of Hanahan Building Department
Att: Larry Sturdivant, Building Official
1255 Yeamans Hall Road
Hanahan SC 29410
lsturdivant@cityofhanahan.com

Re: 5901 Loftis Road Demolition Permit Scope Change

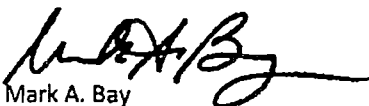
Mr. Sturdivant,

Per our discussion January 16-17, 2019 the scope of demolition work we were issued a Demolition Permit for at 5901 Loftis Road has changed according to the Owner's wishes as well as due to the construction of the existing building is not conducive to the upgrades they wish to make. Selective demolition of the interior will now be a complete demolition of the entire Structure including the concrete slab and foundations.

We have conducted an Asbestos Containing Materials report, have filed that document as required to the State of South Carolina and would like to proceed with remediation prior to complete demolition.

I am requesting at this time that our Demolition Permit # 2018-01288 be revised to include removal of the entire structure.

Sincerely



Mark A. Bay
President
Tri-Bay Construction LLC
G1221571
CBC1259387
407-864-3229

EXHIBIT E



March 13, 2019
NOTICE OF DEMOLITION

ASBESTOS PROJECT LICENSE ID: N1903152
Issued by: Kenneth H Garcia

DAVE EVANS
TARGET ENVIRONMENTAL
414 LIVE OAK DR
MOUNT PLEASANT, SC 29464-4336

RE: Staff Zone Hanahan, 5901 LOFTIS RD, Hanahan

This license is issued on the basis of information provided in your demolition notification received March 13, 2019. Please refer to the license number above whenever you communicate with DHEC about this project. Use of this license indicates your agreement that the information herein is accurate. This license is non-transferable. The fee for this license is \$50.00. Questions may be directed to the Asbestos Section at (803) 898-4289.

Reportedly, there will be no regulated asbestos-containing materials remaining on the interior or exterior of this facility during demolition. Appropriate arrangements for disposal of the demolition debris should be made directly with the landfill. Open burning requirements outlined within SC Air Pollution Control Regulation No. 61-62.2 shall apply.

Demolition has been scheduled to begin March 27, 2019 and complete April 05, 2019. **If the demolition operation will begin after this date, please telephone the Asbestos Section in Columbia on or before this date.** Additionally, written notice of a new start date must be received by DHEC as soon as possible before, but no later than the original start date referenced above. In no event shall a demolition operation begin on a date other than the date referenced within this acknowledgment unless specified by DHEC.

The SCDHEC Division of Mining & Solid Waste Management also has rules governing the disposal of materials that have come in contact with lead-based paint. Materials which are painted with lead-based paint must be disposed of in a Class Two or Three Landfill. Please contact the Bureau of Land and Waste Management for additional information.

Asbestos Section
Bureau of Air Quality



January 23, 2019

Mr. Mark Bay
Tri-Bay Construction
PO Box 620192
Oviedo, Florida 32765

ECS Project No. 49:8702

Reference: Asbestos Assessment, Hanahan Commercial Retail Building, 5901 Loftis Road, Hanahan, South Carolina

Dear Mr. Bay:

ECS Southeast, LLP (ECS) is pleased to provide Tri-Bay Construction with the results of the above referenced Asbestos Assessment performed at Hanahan Commercial Retail Building located at 5901 Loftis Road in Hanahan, South Carolina. This report summarizes our observations, analytical results, findings, and recommendations related to the work performed. The work described in this report was performed by ECS in general accordance with the Scope of Services described in ECS Proposal Number 49:12938 and the terms and conditions of the agreement authorizing those services.

ECS appreciates this opportunity to provide Tri-Bay Construction with our services. If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

ECS Southeast, LLP

Jennifer Brumbaugh
Assistant Staff Project Manager
jbrumbaugh@ecslimited.com
843-654-4448

Justin Roth, CHMM
Environmental Principal
jroth@ecslimited.com
843-654-4448

ASBESTOS ASSESSMENT



HANAHAN COMMERCIAL RETAIL BUILDING

5901 LOFTIS ROAD
HANAHAN, SOUTH CAROLINA 29410

ECS PROJECT NO. 49:8702

FOR: TRI-BAY CONSTRUCTION

JANUARY 23, 2019



Appendix III: Asbestos Bulk Sample Results



Bulk Asbestos Analysis by Transmission Electron Microscopy

Semi-Quantitative
Chatfield SOP 1988-02 Rev. 1

Customer: ECS Carolinas, LLP
3820 Faber Place
North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901733

Analysis ID: 71901733_TB

Date Received: 1/22/2019

Date Reported: 1/23/2019

Project: 5901 Loftis Rd

Sample ID	Description	Organic	Acid Sol.	Asbestos	LCL-UCL
<i>Lab Sample ID</i>	<i>Lab Notes</i>	<i>(Wt. %)</i>	<i>(Wt. %)</i>	<i>(Wt. %)</i>	<i>(Wt. %)</i>
5901-1C- A	Beige 12x12 VFT & mastic	19%	74%	None Detected	
71901733TBS_1	tile				
5901-1C- B	Beige 12x12 VFT & mastic	58%	-	None Detected	
71901733TBS_10	mixed mastic				
5901-4C- A	White 12x12 VFT & mastic	15%	83%	None Detected	
71901733TBS_9	tile				
5901-4C- B	White 12x12 VFT & mastic	35%	-	None Detected	
71901733TBS_11	mastic				
5901-5C- A	Black 12x12 VFT & mastic	16%	83%	None Detected	
71901733TBS_8	tile				
5901-5C- B	Black 12x12 VFT & mastic	39%	-	None Detected	
71901733TBS_12	mastic				

Disclaimer: This report relates only to the samples tested and may not be reproduced, except in full, without the written approval of SAI. This report may not be used by the client to claim product endorsement by NVLAP or any other agency of the U.S. government.

Russell Shelton (14)

Analyst

Scientific Analytical Institute, Inc. 4604 Dundas Dr. Greensboro, NC 27407 (336) 292-3888



Approved Signatory



Bulk Asbestos Analysis by Transmission Electron Microscopy

Semi-Quantitative
Chatfield SOP 1988-02 Rev. 1

Customer: ECS Carolinas, LLP
3820 Faber Place
North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901733

Analysis ID: 71901733_TB

Date Received: 1/22/2019

Date Reported: 1/23/2019

Project: 5901 Loftis Rd

Sample ID	Description	Organic (Wt. %)	Acid Sol. (Wt. %)	Asbestos (Wt. %)		LCL-UCL (Wt. %)
Lab Sample ID	Lab Notes					
5901-7C	Built up	47%	-	None Detected		
71901733TBS_7						
5901-13C- A	Built up	74%	-	None Detected		
71901733TBS_6	built up roofing					
5901-13C- B	Built up	67%	-	None Detected		
71901733TBS_13	tar					
5901-14C	Flashing	58%	-	4.2 %	Chrysotile	3.8% - 4.6%
71901733TBS_5						
5901-15C	HVAC mastic	51%	-	None Detected		
71901733TBS_4						
5901-16C	Windows/exterior	36%	-	None Detected		
71901733TBS_3						

Disclaimer: This report relates only to the samples tested and may not be reproduced, except in full, without the written approval of SAI. This report may not be used by the client to claim product endorsement by NVLAP or any other agency of the U.S. government.

Russell Shelton (14)

Analyst

Approved Signatory



Bulk Asbestos Analysis by Transmission Electron Microscopy

Semi-Quantitative
Chatfield SOP 1988-02 Rev. 1

Customer: ECS Carolinas, LLP
3820 Faber Place
North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901733

Analysis ID: 71901733_TB

Date Received: 1/22/2019

Date Reported: 1/23/2019

Project: 5901 Loftis Rd

Sample ID	Description	Organic	Acid Sol.	Asbestos	LCL-UCL
<i>Lab Sample ID</i>	<i>Lab Notes</i>	<i>(Wt. %)</i>	<i>(Wt. %)</i>	<i>(Wt. %)</i>	<i>(Wt. %)</i>
5901-17C- A	Roof	23%	-	None Detected	
71901733TBS_2	shingle				
5901-17C- B	Roof	50.0%	-	None Detected	
71901733TBS_14	tar				

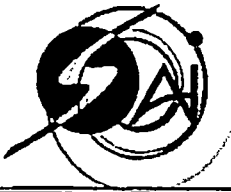
Disclaimer: This report relates only to the samples tested and may not be reproduced, except in full, without the written approval of SAL. This report may not be used by the client to claim product endorsement by NVLAP or any other agency of the U.S. government.

Russell Shelton (14)

Analyst

Scientific Analytical Institute, Inc. 4604 Dundas Dr. Greensboro, NC 27407 (336) 292-3888

Approved Signatory



Bulk Asbestos Analysis

By Polarized Light Microscopy
 EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E,
 App.E



NVLAP Lab Code: 20064-0

Customer: ECS Carolinas, LLP
 3820 Faber Place
 North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
 Analysis ID: 71901572_PLM
 Date Received: 1/21/2019
 Date Reported: 1/22/2019

Project: 5901 Loftis Rd

Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-1A - A	Beige 12x12 VFT & mastic	None Detected		100% Other	Beige Non Fibrous Homogeneous
71901572PLM_1	tile				Dissolved
5901-1A - B	Beige 12x12 VFT & mastic	None Detected	20% Cellulose 5% Fiber Glass	75% Other	Yellow, Black Non Fibrous Heterogeneous
71901572PLM_54	mixed mastic				Dissolved
5901-1B - A	Beige 12x12 VFT & mastic	None Detected		100% Other	Beige Non Fibrous Homogeneous
71901572PLM_2	tile				Dissolved
5901-1B - B	Beige 12x12 VFT & mastic	None Detected	20% Cellulose 5% Fiber Glass	75% Other	Yellow, Black Non Fibrous Heterogeneous
71901572PLM_55	mixed mastic				Dissolved
5901-1C - A	Beige 12x12 VFT & mastic	None Detected		100% Other	Beige Non Fibrous Homogeneous
71901572PLM_3	tile				Dissolved
5901-1C - B	Beige 12x12 VFT & mastic	None Detected	20% Cellulose 5% Fiber Glass	75% Other	Yellow, Black Non Fibrous Heterogeneous
71901572PLM_56	mixed mastic				Dissolved
5901-2A - A	Green 9x9 VFT & mastic	6% Chrysotile		94% Other	Green Non Fibrous Homogeneous
71901572PLM_4	tile				Dissolved
5901-2A - B	Green 9x9 VFT & mastic	5% Chrysotile		95% Other	Black Non Fibrous Homogeneous
71901572PLM_57	mastic				Dissolved

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William Howell (77)

Analyst

Approved Signatory

1/22/2019 10:29:21



Bulk Asbestos Analysis

By Polarized Light Microscopy
 EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E,
 App.E

NVLAP
 NVLAP Lab Code: 200664-D



Customer: ECS Carolinas, LLP
 3820 Faber Place
 North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
 Analysis ID: 71901572_PLM
 Date Received: 1/21/2019
 Date Reported: 1/22/2019

Project: 5901 Loftis Rd

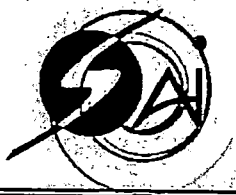
Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-2B - A	Green 9x9 VFT & mastic	Not Analyzed			
71901572PLM_5	tile				
5901-2B - B	Green 9x9 VFT & mastic	Not Analyzed			
71901572PLM_58	mastic				
5901-2C - A	Green 9x9 VFT & mastic	Not Analyzed			
71901572PLM_6	tile				
5901-2C - B	Green 9x9 VFT & mastic	Not Analyzed			
71901572PLM_59	mastic				
5901-3A - A	White 9x9 VFT & mastic	6% Chrysotile		94% Other	Tan Non Fibrous Homogeneous
71901572PLM_7	tile				Dissolved
5901-3A - B	White 9x9 VFT & mastic	3% Chrysotile		97% Other	Black Non Fibrous Homogeneous
71901572PLM_60	mastic				Dissolved
5901-3B - A	White 9x9 VFT & mastic	Not Analyzed			
71901572PLM_8	tile				
5901-3B - B	White 9x9 VFT & mastic	Not Analyzed			
71901572PLM_61	mastic				

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William Howell (77)

Analyst


 Approved Signatory



Bulk Asbestos Analysis

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 App.E



Customer: ECS Carolinas, LLP
 3820 Faber Place
 North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
 Analysis ID: 71901572_PLM
 Date Received: 1/21/2019
 Date Reported: 1/22/2019

Project: 5901 Loftis Rd

Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-3C - A	White 9x9 VFT & mastic	Not Analyzed			
71901572PLM_9	tile				
5901-3C - B	White 9x9 VFT & mastic	Not Analyzed			
71901572PLM_62	mastic				
5901-4A - A	White 12x12 VFT & mastic	None Detected		100% Other	Grayish Non Fibrous Homogeneous
71901572PLM_10	tile				Dissolved
5901-4A - B	White 12x12 VFT & mastic	None Detected		100% Other	Yellow Non Fibrous Homogeneous
71901572PLM_63	mastic				Dissolved
5901-4B - A	White 12x12 VFT & mastic	None Detected		100% Other	Grayish Non Fibrous Homogeneous
71901572PLM_11	tile				Dissolved
5901-4B - B	White 12x12 VFT & mastic	None Detected		100% Other	Yellow Non Fibrous Homogeneous
71901572PLM_64	mastic				Dissolved
5901-4C - A	White 12x12 VFT & mastic	None Detected		100% Other	Grayish Non Fibrous Homogeneous
71901572PLM_12	tile				Dissolved
5901-4C - B	White 12x12 VFT & mastic	None Detected		100% Other	Grayish Non Fibrous Homogeneous
71901572PLM_65	mastic				Dissolved

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William Howell (77)

Analyst

Justin Roth
 Approved Signatory

PLM 2019 01 22 10:51

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Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E,
App.E



NVLAP Lab Code: 200664-0

Customer: ECS Carolinas, LLP
3820 Faber Place
North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
Analysis ID: 71901572_PLM
Date Received: 1/21/2019
Date Reported: 1/22/2019

Project: 5901 Loftis Rd

Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-5A - A	Black 12x12 VFT & mastic	None Detected		100% Other	Yellow Non Fibrous Homogeneous
71901572PLM_13	tile				Dissolved
5901-5A - B	Black 12x12 VFT & mastic	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_66	mastic				Dissolved
5901-5B - A	Black 12x12 VFT & mastic	None Detected		100% Other	Yellow Non Fibrous Homogeneous
71901572PLM_14	tile				Dissolved
5901-5B - B	Black 12x12 VFT & mastic	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_67	mastic				Dissolved
5901-5C - A	Black 12x12 VFT & mastic	None Detected		100% Other	Yellow Non Fibrous Homogeneous
71901572PLM_15	tile				Dissolved
5901-5C - B	Black 12x12 VFT & mastic	None Detected		100% Other	Yellow Non Fibrous Homogeneous
71901572PLM_68	mastic				Dissolved
5901-6A - A	Beige 9x9 VFT & mastic	6% Chrysotile		94% Other	Yellow Non Fibrous Homogeneous
71901572PLM_16	tile				Dissolved
5901-6A - B	Beige 9x9 VFT & mastic	6% Chrysotile		94% Other	Black Non Fibrous Homogeneous
71901572PLM_69	mastic				Dissolved

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William Howell (77)

Analyst

Approved Signatory

PF-02-05-00A-001



Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E,
App.E



Customer: ECS Carolinas, LLP
3820 Faber Place
North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
Analysis ID: 71901572_PLM
Date Received: 1/21/2019
Date Reported: 1/22/2019

Project: 5901 Loftis Rd

Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-6B - A	Beige 9x9 VFT & mastic	Not Analyzed			
71901572PLM_17	tile				
5901-6B - B	Beige 9x9 VFT & mastic	Not Analyzed			
71901572PLM_70	mastic				
5901-6C - A	Beige 9x9 VFT & mastic	Not Analyzed			
71901572PLM_18	tile				
5901-6C - B	Beige 9x9 VFT & mastic	Not Analyzed			
71901572PLM_71	mastic				
5901-7A	Carpet mastic	None Detected		100% Other	White, Black Non Fibrous Heterogeneous
71901572PLM_19					Crushed, Dissolved
5901-7B	Carpet mastic	None Detected		100% Other	White, Black Non Fibrous Heterogeneous
71901572PLM_20					Crushed, Dissolved
5901-7C	Carpet mastic	None Detected		100% Other	White, Black Non Fibrous Heterogeneous
71901572PLM_21					Crushed, Dissolved
5901-8A	Drywall	None Detected	10% Cellulose	90% Other	Grayish Non Fibrous Homogeneous
71901572PLM_22					Crushed

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William Howell (77)

Analyst


Approved Signatory



Bulk Asbestos Analysis

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 EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E,
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Customer: ECS Carolinas, LLP
 3820 Faber Place
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Lab Order ID: 71901572
 Analysis ID: 71901572_PLM
 Date Received: 1/21/2019
 Date Reported: 1/22/2019

Project: 5901 Loftis Rd

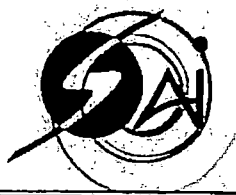
Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-8B	Drywall	None Detected	10% Cellulose	90% Other	Grayish Non Fibrous Homogeneous
71901572PLM_23					Crushed
5901-8C	Drywall	None Detected	10% Cellulose	90% Other	Grayish Non Fibrous Homogeneous
71901572PLM_24					Crushed
5901-9A	Joint compound	None Detected	10% Cellulose	90% Other	White Non Fibrous Homogeneous
71901572PLM_25					Crushed
5901-9B	Joint compound	None Detected		100% Other	White Non Fibrous Homogeneous
71901572PLM_26					Crushed
5901-9C	Joint compound	None Detected		100% Other	White Non Fibrous Homogeneous
71901572PLM_27					Crushed
5901-9D	Joint compound	None Detected		100% Other	White Non Fibrous Homogeneous
71901572PLM_28					Crushed
5901-9E	Joint compound	None Detected		100% Other	White Non Fibrous Homogeneous
71901572PLM_29					Crushed
5901-10A	Texture	3% Chrysotile	10% Cellulose	87% Other	White Non Fibrous Homogeneous
71901572PLM_30					Crushed

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William Howell (77)

Analyst


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Bulk Asbestos Analysis

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 North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
 Analysis ID: 71901572_PLM
 Date Received: 1/21/2019
 Date Reported: 1/22/2019

Project: 5901 Lofis Rd

Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-10B	Texture	Not Analyzed			
71901572PLM_31					
5901-10C	Texture	Not Analyzed			
71901572PLM_32					
5901-11A	1'x2' Ceiling tile	None Detected	95% Cellulose	5% Other	Orange, White Fibrous Homogeneous
71901572PLM_33					Teased, Ashed
5901-11B	1'x2' Ceiling tile	None Detected	95% Cellulose	5% Other	Orange, White Fibrous Homogeneous
71901572PLM_34					Ashed
5901-11C	1'x2' Ceiling tile	None Detected	95% Cellulose	5% Other	Orange, White Fibrous Homogeneous
71901572PLM_35					Teased, Ashed
5901-12A	1'x1' Ceiling tile	None Detected	95% Cellulose	5% Other	Orange, White Fibrous Homogeneous
71901572PLM_36					Teased, Ashed
5901-12B	1'x1' Ceiling tile	None Detected	95% Cellulose	5% Other	Orange, White Fibrous Homogeneous
71901572PLM_37					Teased, Ashed
5901-12C	1'x1' Ceiling tile	None Detected	95% Cellulose	5% Other	Orange, White Fibrous Homogeneous
71901572PLM_38					Ashed

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William Howell (77)

Analyst

Justin Roth
 Approved Signatory

PT-021 (01/18/09)

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Page 7 of 10



Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E,
App.E



Customer: ECS Carolinas, LLP
3820 Faber Place
North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
Analysis ID: 71901572_PLM
Date Received: 1/21/2019
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Project: 5901 Loftis Rd

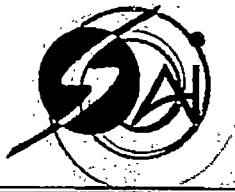
Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-13A - A	Built up	None Detected	40% Cellulose	60% Other	Black Non Fibrous Homogeneous
71901572PLM_39	built up roofing				Teased, Dissolved
5901-13A - B	Built up	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_72	tar				Crushed, Dissolved
5901-13B - A	Built up	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_40	built up roofing				Teased, Dissolved
5901-13B - B	Built up	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_73	tar				Crushed, Dissolved
5901-13C - A	Built up	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_41	built up roofing				Teased, Dissolved
5901-13C - B	Built up	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_74	tar				Crushed, Dissolved
5901-14A	Flashing	None Detected	20% Cellulose	80% Other	Gray, Black Non Fibrous Homogeneous
71901572PLM_42					Crushed, Dissolved
5901-14B	Flashing	None Detected	20% Cellulose	80% Other	Gray, Black Non Fibrous Homogeneous
71901572PLM_43					Crushed, Dissolved

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William Howell (77)

Analyst

Approved Signatory



Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E,
App.E

NVLAP

NVLAP Lab Code: 20064-0



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3820 Faber Place
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Attn: Justin Roth

Lab Order ID: 71901572
Analysis ID: 71901572_PLM
Date Received: 1/21/2019
Date Reported: 1/22/2019

Project: 5901 Lofis Rd

Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-14C	Flashing	None Detected	20% Cellulose	80% Other	Black Non Fibrous Homogeneous
71901572PLM_44					Crushed, Dissolved
5901-15A	HVAC mastic	None Detected	10% Synthetic Fibers	90% Other	Cream Non Fibrous Homogeneous
71901572PLM_45	mastic on wrap				Teased, Dissolved
5901-15B	HVAC mastic	None Detected	10% Synthetic Fibers	90% Other	Cream Non Fibrous Homogeneous
71901572PLM_46	mastic on wrap				Teased, Dissolved
5901-15C	HVAC mastic	None Detected	10% Synthetic Fibers	90% Other	Cream Non Fibrous Homogeneous
71901572PLM_47	mastic on wrap				Teased, Dissolved
5901-16A	Caulking	None Detected		100% Other	Gray Non Fibrous Homogeneous
71901572PLM_48					Dissolved
5901-16B	Caulking	None Detected		100% Other	Gray Non Fibrous Homogeneous
71901572PLM_49					Ashed
5901-16C	Caulking	None Detected		100% Other	Gray Non Fibrous Homogeneous
71901572PLM_50					Dissolved
5901-17A - A	Asphalt shingles	None Detected	10% Cellulose 10% Fiber Glass	80% Other	Black, Gray Non Fibrous Heterogeneous
71901572PLM_51	shingle				Teased, Dissolved

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William Howell (77)

Analyst

Approved Signatory

2-E-012 (REV 1-15-2011)

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Page 9 of 10



Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and 40 CFR, Part 763, Subpart E, App.E



Customer: ECS Carolinas, LLP
3820 Faber Place
North Charleston, SC 29405

Attn: Justin Roth

Lab Order ID: 71901572
Analysis ID: 71901572_PLM
Date Received: 1/21/2019
Date Reported: 1/22/2019

Project: 5901 Loftis Rd

Sample ID	Description	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes
Lab Sample ID	Lab Notes				Treatment
5901-17A - B	Asphalt shingles	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_75	tar				Dissolved
5901-17B - A	Asphalt shingles	None Detected	10% Cellulose 10% Fiber Glass	80% Other	Black, Gray Non Fibrous Heterogeneous
71901572PLM_52	shingle				Teased, Dissolved
5901-17B - B	Asphalt shingles	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_76	tar				Dissolved
5901-17C - A	Asphalt shingles	None Detected	10% Cellulose 10% Fiber Glass	80% Other	Black, Gray Non Fibrous Heterogeneous
71901572PLM_51	shingle				Teased, Dissolved
5901-17C - B	Asphalt shingles	None Detected		100% Other	Black Non Fibrous Homogeneous
71901572PLM_77	tar				Dissolved

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William Howell (77)

Analyst

Approved Signatory

SAI-113 1/20/2011

EXHIBIT F

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF BEREKLEY)	Case No.: 2018-CP-08-01008
)	
Aracelis Santos,)	
)	
Plaintiff,)	
)	
vs.)	MOTION FOR TEMPORARY
)	RESTRAINING ORDER
)	Rule 65, <i>S. C. Rules of Civil Procedure</i>
Harris Investment Holdings, L.L.C.,)	
Costa DeLuca, Tri-Bay Construction,)	
L.L.C., the City of Hanahan,)	
)	
)	
Defendants.)	
_____)	

TO THE DEFENDANTS ABOVE NAMED:

PLEASE TAKE NOTICE that the plaintiff, above named, will move for an Order of the Court, ten days after notice hereof, or at some earlier time as the Court may allow under the exigent circumstances raised herein, for an Order of the Court directing the defendants immediately to cease and desist destroying the plaintiff's business and preserve the status quo until such time as the parties may be heard. This motion is based on the allegations contained in the amended complaint, attached to the plaintiff's motion to amend complaint and upon the affidavit of Benjamin Reyna previously filed with this Court and incorporated by this reference, and upon Rule 65, of the *South Carolina Rules of Civil Procedure*.

March 19, 2019

/s/Thomas R. Goldstein
 Thomas R. Goldstein, S. C. Bar # 2186
 BELK, COBB, INFINGER, & GOLDSTEIN, P.A.
 Post Office Box 71121
 Charleston, South Carolina 29415-1121
tgoldstein@cobblaw.net
 (843) 554-4291
 ATTORNEYS FOR PLAINTIFFS

Certificate of Service

I certify that I have served a copy of this pleading on counsel for Harris Investment Holdings, L.L.C. by electronic mail and by regular first class mail with proper postage affixed and addressed to its counsel of record, Merritt Abney at 151 Meeting Street, Suite 600, Charleston, South Carolina 29201, this 19th day of March, 2019.

March 19, 2019

/s/Thomas R. Goldstein

Thomas R. Goldstein, S. C. Bar # 2186

BELK, COBB, INFINGER, & GOLDSTEIN, P.A.

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEREKLEY)

IN THE COURT OF COMMON PLEAS

Case No.: 2018-CP-08-01008

Aracelis Santos,)
)
Plaintiff,)


vs.)

AFFIDAVIT OF BENJAMIN REYNA

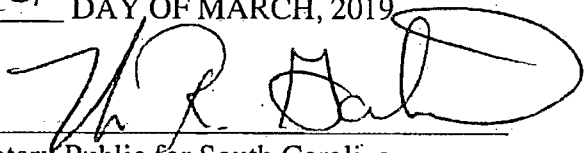
Harris Investment Holdings, L.L.C.,)
Costa DeLuca, Tri-Bay Construction,)
L.L.C., the City of Hanahan,)
)
Defendants.)

Personally appeared before me, Benjamin Reyna, who being duly sworn, does depose and say:

Since my affidavit of December 13, 2018, the landlord has increased its interference in our quiet enjoyment of the property. He still refuses to accept the rent checks even though we timely tender them, and since December 13th, the landlord has battered down our door, and attempted to demolish our building. The City of Hanahan has now posted a police officer at our door, and instead of prosecuting the landlord for destroying the door, is standing guard to prevent us from entering the building. There is currently on file an Order of the Court authorizing us to be in possession so long as we pay the rent by the 5th of each month, which we have done.


Benjamin Reyna

SWORN TO BEFORE ME THIS
20th DAY OF MARCH, 2019



Notary Public for South Carolina
My Commission expires: April 16, 2020

Certificate of Service

I certify that I have served a copy of this pleading on counsel for Harris Investment Holdings, L.L.C. by electronic mail and by regular first class mail with proper postage affixed and addressed to its counsel of record, Merritt Abney at 151 Meeting Street, Suite 600, Charleston, South Carolina 29201, this 20th day of March, 2019.

March ~~4th~~²⁰, 2019

/s/Thomas R. Goldstein
Thomas R. Goldstein, S. C. Bar # 2186
BELK, COBB, INFINGER, & GOLDSTEIN, P.A.

AFFIDAVIT OF SERVICE

State of South Carolina

County of Berkeley

Common Pleas Court

Case Number: 2018-CP-08-01008

Plaintiff:
ARACELIS SANTOS

vs.

Defendant:
HARRIS INVESTMENT HOLDINGS, LLC; COSTA DELUCA; TRI-BAY CONSTRUCTION, LLC; THE CITY OF HANAHAN

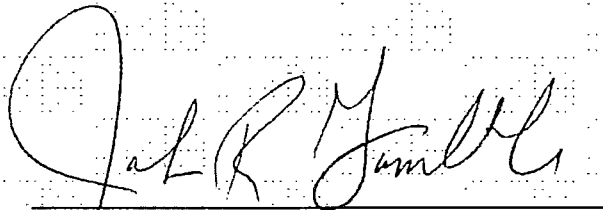
For:
Thomas R. Goldstein, Esq.
Belk, Cobb, Infinger & Goldstein
P. O. Box 71121
Charleston, SC 29415-1121

Received by PROCESS SERVICE, INC. to be served on COSTA DELUCA, 5901 LOFTIS RD., HANAHAN, SC 29410.

I, John R. Gamble, being duly sworn, depose and say that on the 20th day of March, 2019 at 10:50 am, I:

PERSONALLY served by delivering a true copy of the MOTION FOR TEMPORARY RESTRAINING ORDER; CERTIFICATE OF SERVICE; MOTION TO AMEND COMPLAINT; CERTIFICATE OF SERVICE; SUMMONS; AMENDED COMPLAINT; CERTIFICATE OF SERVICE to: COSTA DELUCA at the address of: STAFF ZONE, 3750 RIVERS AVE, N CHARLESTON, SC 29406.

I am over eighteen and have no interest in the above action.

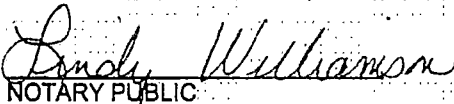


John R. Gamble
PROCESS SERVER

PROCESS SERVICE, INC.
P. O. Box 20097
Charleston, SC 29413
(843) 577-2355

Our Job Serial Number: LEX-2019000748

Subscribed and Sworn to before me on the 20th day of March, 2019 by the affiant who is personally known to me.


NOTARY PUBLIC
PRINTED SIGNATURE

Commission Expires:

5-6-19

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas
Kristi F. Curtis, Circuit Court Judge

RECEIVED

SEP 02 2020

SC Court of Appeals

Case No. 2018-CP-08-00266
Case No. 2018-CP-08-01008
Appellate Tracking No.: 2019-00169

Aracelis Santos, Appellant,


vs.

Harris Investment Holdings, L.L.C., Respondent,

PROOF OF SERVICE

I certify that I have served the Reply to Return on the Respondent, Harris Investment Holdings, L.L.C., by depositing a copy of it in the United States Mail, postage prepaid, on September 1, 2020, addressed to the attorneys of record, Merritt Abney, 151 Meeting Street, Sixth Floor, Charleston, S. C. 29401-2239.

September 1, 2020



Thomas R. Goldstein, S. C. Bar # 2186
BELK, COBB, INFINGER, & GOLDSTEIN, P.A.
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Charleston, South Carolina 29415-1121
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(843) 554-4291; (843) 554-5566 (fax)
ATTORNEYS FOR APPELLANT

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September 1, 2020

Mailing Address:
P.O. Box 71121
Charleston, SC
zip 29415-1121
Ph: (843) 554-4291
Fax: (843) 554-5566

Hon. Jenny A. Kitchings,
Clerk of Court
S. C. Court of Appeals
P. O. Box 11629
Columbia, S. C. 29211

RECEIVED

SEP 02 2020

SC Court of Appeals

Re: Aracelis Santos v. Harris Investment Holdings, L.L.C.
Case Nos.: 2018-CP-08-00266 and 2018-CP-08-01008; Appellate Tracking
Number 2019-00169

Dear Ms. Kitchings,

I am enclosing an original and seven copies of Appellant's Reply in the above case. Would you be so kind as to file these with the Court and return a clocked copy to me in the envelope provide? I thank you in advance for your attention to this request. With kind regards, I am

Very truly yours,



BELK, COBB, INFINGER & GOLDSTEIN, P.A.
Thomas R. Goldstein

TRG/

cc:

Merritt Abney, Esq.
151 Meeting Street
Sixth Floor
Charleston, S. C. 29401-2239

PRIORITY MAIL



First Class Mail

Beik, Cobb, Infinger & Goldstein, P.A.
P. O. Box 71121
Charleston, S. C. 29415-1121

RECEIVED

SEP 02 2020

Hon. Jenny A. Kitchings
Clerk of Court
S. C. Court of Appeals
P. O. Box 11629
Columbia, S. C. 29211

