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**Jun 01 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Roger M. Young, Sr., Circuit Court Judge

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Case No. 2016-CP-10-03455  
Appellate Case No. 2020-001328

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Six Fifty Six Owners Association, Inc. and Robert John Nutley,  
individually, and on behalf of others similarly situated, Plaintiffs,

v.

Winsor South, LLC and Jeffrey M. Thomas, individually, and on behalf of a class of construction defendants; Southeastern Recapitalization Group, LLC; WCM Construction, LLC; Jonathan J. Thomas; AC Heating and Air Conditioning Service, Inc.; ACME Doors, Inc.; Alpha Omega Construction Group, Inc.; Atlantic Construction Services, Inc.; Buck Lumber and Building Supply, Inc.; Builders FirstSource, Inc.; Builders FirstSource-Atlantic Group, LLC; Builders FirstSource - Florida a/k/a Builders FirstSource-Florida Design Center, LLC; Builders FirstSource-Southeast Group, LLC; Charlotte Flooring, Inc.; Dirla Tawl Painting, Inc.; East Coast Wall Systems, Inc.; Fogel Services, Inc.; G&S Home Remodeling, LLC; Guaranteed Framing, LLC; J. Mora Brick & Block Mason, LLC; Land/Site Services, Inc.; Landmark Construction Company, Inc.; Lutzen Construction, Inc.; New Horizon Shutters, Inc. a/k/a New Horizon Shutters International, LLC; PJ Sanchez Masonry, LLC; Screens Plus, Inc.; Simons Construction Company, LLC; Stucco by Design, LLC; Fine Builders, LLC; Speedtruss, Inc.; AS Construction; Javier Morales Merino; Novac Construction, Inc.; MJG Construction, Inc.; Advance Plumbing, Heating, and Air, Inc.; Ashley Steel, Inc.; Cahill Contracting, LLC; Cohen;s Drywall, Inc.; Bob Porter d/b/a Custom Interior Construction; RB's Trim, Inc.; Sharon's Painting and Construction a/k/a Sharon's Painting, LLC; Davis Tile; Timothy Mitchell; Electrical Design &

Construction; Hurley Services, LLC; Charleston Exteriors LLC; Jorge Diaz aka Jorge Louis Paz; San Luis Construction, Inc. nka Roofing America Metal Fabrications, LLC; Rogerio Dos Santos dba Rogerio Santos Construction; Fabio Oliviera dba Four Season Siding; Sunrise Siding; Garcia Roofing, LLC; Espino Roofing, LLC; Migual Painting, LLC, Horacio Jasso; Standard Precast Walls, LLC; Alfonso Rodriguez Vazquez aka Alfonso Rodriguez, Sr.; and John Does 55-75, Defendants,

Of which Builders FirstSource-Southeast Group, LLC is the Appellant and Hurley Services, LLC and Charleston Exteriors, LLC are the Respondents.

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**STIPULATION OF DISMISSAL AS TO RESPONDENT CHARLESTON EXTERIORS, LLC ONLY**

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PLEASE TAKE NOTICE that, pursuant to Rule 260(b) of the South Carolina Appellate Court Rules, Appellant, Builders FirstSource Southeast Group, LLC, dismisses its appeal against Respondent, Charleston Exteriors, LLC. The dismissal is with prejudice, and only as to Charleston Exteriors, LLC. The appeal remains pending as to Respondent, Hurley Services, LLC. Additionally, Appellant, Builders FirstSource Southeast Group, LLC, and Respondent, Charleston Exteriors, LLC, agree that each of said parties shall bear its own costs and attorney's fees incurred in this appeal.

Respectfully Submitted,

s/ Stephen P. Hughes

Stephen P. Hughes, Bar No. 2805  
Mary B. Loher, Bar No. 16927  
William H. Cox, III, Bar No. 101991  
Catherine Floeder, Bar No. 103741  
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s/ C. Clay Olson

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*Attorney for the Respondent  
Charleston Exteriors, LLC*

Beaufort, South Carolina  
June 1, 2021.

THE STATE OF SOUTH CAROLINA  
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Construction; Hurley Services, LLC; Charleston Exteriors LLC; Jorge Diaz aka Jorge Louis Paz; San Luis Construction, Inc. nka Roofing America Metal Fabrications, LLC; Rogerio Dos Santos dba Rogerio Santos Construction; Fabio Oliviera dba Four Season Siding; Sunrise Siding; Garcia Roofing, LLC; Espino Roofing, LLC; Migual Painting, LLC, Horacio Jasso; Standard Precast Walls, LLC; Alfonso Rodriguez Vazquez aka Alfonso Rodriguez, Sr.; and John Does 55-75, Defendants,

Of which Builders FirstSource-Southeast Group, LLC is the Appellant and Hurley Services, LLC and Charleston Exteriors, LLC are the Respondents.

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**PROOF OF SERVICE**

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I certify that on May 28, 2021, I served the Stipulation of Dismissal of Appeal, as to the Respondent, Charleston Exteriors, LLC, only, on the counsel listed below by complying with the Supreme Court's Order regarding operation of the appellate courts during Coronavirus emergency, issued March 20, 2020, which states:

During this emergency, this Court authorizes a lawyer admitted to practice law in this state to serve a document on another lawyer admitted to practice law in this state using the lawyer's primary e-mail address listed in the Attorney Information System (AIS)... For documents that are served by e-mail, a copy of the sent e-mail shall be enclosed with the proof of service, affidavit of service, or certificate of service for that document....

I have e-mailed each counsel of record at each lawyer's primary email address listed in the AIS, listed below:

C. Clay Olson: *colson@grsm.com*  
Gordon & Rees, LLP  
40 Calhoun Street, Suite 350  
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*Attorney for the Respondent,*  
*Charleston Exteriors, LLC*

John Linton: *linton@wgflaw.com*  
Walker, Gressette, Freeman, & Linton, LLC  
PO Box 22167  
Charleston, SC 29413  
(843) 727-2200  
*Attorneys for Respondent,*  
*Hurley Service, LLC*

A copy of the sent e-mail is enclosed with this proof of service.

HOWELL, GIBSON & HUGHES, P.A.

By: s/ Stephen P. Hughes  
Stephen P. Hughes  
sphughes@hgpha.com  
PO Box 40  
Beaufort, SC 29901-0040  
(843) 522-2400  
Attorney for Appellant

Beaufort, South Carolina

May 28, 2021

## Rachel Adkins

---

**From:** Rachel Adkins  
**Sent:** Friday, May 28, 2021 3:15 PM  
**To:** 'colson@grsm.com'; 'Linton@WGFLAW.com'; 'ivey@WGFLAW.com'  
**Cc:** Stephen P. Hughes; Tori Walker; Witt Cox; Mary B. Lohr; Briana Schmus; Catherine L. Floeder  
**Subject:** Proposed Stipulation of Dismissal as to Charleston Exteriors ONLY {Builders FirstSource v. Hurley Services, LLC et al}  
**Attachments:** 547000.pdf  
**PM Message ID:** 486253

Good Afternoon Counsel,

Please see the attached correspondence on behalf of Stephen P. Hughes in the above referenced matter. Enclosed with the attached letter is Appellant Builders FirstSource Southeast Group, LLC's Proposed Stipulation of Dismissal as to Respondent Charleston Exteriors, LLC **Only**. We ask that you review the stipulation and advise if we have your consent.

Should you have any questions, please reach out.  
Have a great weekend.

*Rachel B. Adkins*

Legal Assistant for William H. Cox, III  
Howell, Gibson and Hughes PA  
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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

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**RECEIVED**

**Jun 01 2021**

**SC Court of Appeals**

June 1, 2021  
VIA EMAIL ONLY

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. Hurley Services, LLC  
and Charleston Exteriors, LLC  
Civil Action No.: 2020-001328  
Our File No.: 11925 1 SPH

Dear Ms. Kitchings:

I have enclosed herewith a Proposed Stipulation of Dismissal as to the claims of the Appellant, Builders FirstSource Southeast Group, LLC, as to the Respondent, Charleston Exteriors, LLC, ONLY. Also enclosed is the Certificate of Service and copy of the relevant email.

I would appreciate your cooperation in seeing that the enclosed documents are filed and that copies of the same are returned to me.

Should you require anything further, please feel free to contact me.

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.

*s/ Stephen P. Hughes*

SPH/rba  
cc: John Linton  
Jennifer ivey  
C. Clay Olson