

LAW OFFICES

# COPELAND, STAIR, KINGMA & LOVELL, LLP

KRISTEN K. THOMPSON

DIRECT DIAL NUMBER  
(843) 329-8357

E-MAIL ADDRESS  
kthompson@cskl.law

40 Calhoun Street, Suite 400  
CHARLESTON, SC 29401-3531

TELEPHONE 843.727.0307

FACSIMILE  
843.727.2995

[www.cskl.law](http://www.cskl.law)

ATLANTA OFFICE  
191 Peachtree St., N.E.  
Suite 3600  
Atlanta, Georgia 30303  
404.522.8220

REPLY TO SC OFFICE

September 10, 2021

**VIA U.S. MAIL**

The Honorable Jenny Abott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**

SEP 13 2021

SC Court of Appeals

Re: Evarista Juan Lorenzo v. Beverly Construction Group, LLC, *et al.*  
Appellate Case No.: 2021-000325  
C/A No.: 2018-CP-22-00824  
CSKL File No.: 3848-60217

Dear Ms. Kitchings,

Pursuant to my conversation with the clerk's office today, I am attaching a copy of two Orders filed in the trial court dismissing my client, Beverly Construction Group, LLC, from this matter prior to Plaintiff filing this appeal. The first Order is the original Form 4 signed by Judge Culbertson granting Beverly Construction Group, LLC's Motion to Dismiss. The second Order is Judge Culbertson's Form 4 denying Plaintiff's Motion to Reconsider that ruling. It is our understanding that we, therefore, should not be included on this appeal and are requesting our removal from the caption and notices. If a formal motion is required regarding this request, please let us know.

As always, feel free to contact me with any questions or concerns at 803-322-1441. Thank you for your time.

Sincerely yours,

*s/Kristen K. Thompson*

KRISTEN K. THOMPSON

KKT:mrf  
Enclosures

FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF Georgetown  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018CP2200824

Evarista Juan Lorenzo  
PLAINTIFF(S)

Port City Elevator Inc et al  
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

The Motion to Dismiss by Beverly Construction Group, LLC, pursuant to Rule 12(b)(1), SCRPC, is GRANTED. The defendant is a statutory employer of the plaintiff and, therefore, plaintiff's recovery against this defendant is limited to the Workers' Compensation Act.

Defendant Beverly Construction Group, LLC's Motion to Strike Stipulation of Dismissal is MOOT. Defendant Beverly Construction Group, LLC's Motion to Reconsider is MOOT.

ORDER INFORMATION

This order  ends  does not end the case.  See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 09/11/2020 .

2020 Custom Contractors LLC  
All Construction  
DVBT Multiservices LLC  
DVBT Construction LLC  
DVBT Construction  
Enhanced Heating & Air Conditioning LLC  
DePaz Painting LLC

RECEIVED

SEP 13 2021

SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

---



Georgetown Common Pleas

**Case Caption:** Evarista Juan Lorenzo VS Port City Elevator Inc , defendant, et al  
**Case Number:** 2018CP2200824  
**Type:** Order/Electronic Form 4

Presiding Circuit Court Judge

s/Benjamin H. Culbertson, Judge Code 2148

Electronically signed on 2020-09-11 15:06:11 page 3 of 3

FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF Georgetown  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018CP2200824

Evarista Juan Lorenzo  
PLAINTIFF(S)

Port City Elevator Inc et al  
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other
- ACTION STRICKEN (CHECK REASON):  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):  Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

Motion for Reconsideration by Attorney Wright is Denied.

ORDER INFORMATION

This order  ends  does not end the case.  See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 03/04/2021 .

2020 Custom Contractors LLC  
All Construction  
DVBT Multiservices LLC  
Enhanced Heating & Air Conditioning LLC

**RECEIVED**  
SEP 13 2021  
SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

---



Georgetown Common Pleas

**Case Caption:** Evarista Juan Lorenzo VS Port City Elevator Inc , defendant, et al  
**Case Number:** 2018CP2200824  
**Type:** Order/Electronic Form 4

Presiding Circuit Court Judge

s/Benjamin H. Culbertson, Judge Code 2148

Electronically signed on 2021-03-04 10:31:01 page 3 of 3

**CSKL**  
COPELAND STAIR  
KINGMA & LOVELL

40 Calhoun Street, Suite 400  
Charleston, SC 29401

CHARLESTON SC 294

10 SEP 2021

FIRST-CLASS



02 1P

\$ 000.73<sup>0</sup>

0001185568

SEP 10 2021

MAILED FROM ZIP CODE 29401

**RECEIVED**

SEP 13 2021

**SC Court of Appeals**

The Honorable Jenny Abott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

29201-376999

