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Sep 22 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Honorable Jennifer B. McCoy, Circuit Court Judge

2016-CP-10-03783

The Retreat at Charleston National Country Club Home Owners Association, Inc.
and The Retreat at Charleston National Country Club Horizontal Property
Regime.....Plaintiffs,

vs.

Winston Carlyle Charleston National, LLC; Colin R. Campbell Construction, Inc.;
Colin Campbell, individually; Builders FirstSource-Southeast Group, LLC;
Builders FirstSource, Inc.; Americo Roofing Concepts, Inc.; DVS, Inc.; Advanced
Building Connection, LLC; Guy C., Lee Building Materials, LLC; WS Contractors,
LLC; Dino Schwartz, Individually; Charleston Exteriors, LLC; ECC Contracting
LLC; Hurley Services, LLC; McDaniel Construction Co., LLC; AC Construction
Corp.; AC Construction Inc.; L&G Construction Group, LLC; Liollo Architecture,
JC Construction d/b/a JC Construction, LLC a/k/a JC Constructors a/k/a JC
Contractors, LLC; Soto & Vasquez Construction LLC a/k/a Costa De Oliveria
Contruccion, LLC; Solesmar Jesus De Oliveria; Wilson Lucas Sales d/b/a Miracle
Siding, LLC, Royal Homes of SC, Inc.; Coleen Batissa; Christopher Batissa;
Norma Ferreira Bruno; Mendez Construction, LLC; Juan Garza Ramos,
individually; Juan Garza Ramos d/b/a Juan Constructors; Jessica Marroquin,
individually; Jessica Marroquin d/b/a Marroquin Construction; Carlos Marroquin,
individually; Carlos and Jessica Marroquin d/b/a Marroquin Construction;
Feliciano Cruz Silva; Garcia Roofing, LLC; Givair De Caris; and Mario
Salgado.....Defendants,

and

Builders FirstSource-Southeast Group, LLC.....Third-Party Plaintiff,

vs.

Pohlman Quality Contractors, Pohlman Quality Exteriors, Palmetto Trim and Renovation, Edward Bruce Witham and East Coast Carpentry.....Third-Party Defendants,

of which

Builders FirstSource-Southeast Group, LLC is.....Appellant,

and

Palmetto Trim and Renovation is.....Respondent.

NOTICE OF APPEAL

Builders FirstSource-Southeast Group, LLC, appeals the Order of the Honorable Jennifer B. McCoy, dated July 26, 2021, a copy of which is attached hereto. Counsel for the Appellant received written notice of this Order on July 26, 2021 and served and filed a timely motion for reconsideration of said Order. Builders FirstSource-Southeast Group, LLC also appeals the Order of the Honorable Jennifer B. McCoy dated August 23, 2021, a copy of which is attached hereto, whereby the Court denied the aforesaid motion for reconsideration. Counsel for the Appellant received written notice of this Order on August 23, 2021.

[Signature page follows]

HOWELL, GIBSON & HUGHES, P.A.

By: 

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Attorneys for Builders FirstSource-
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September 22, 2021

Other Counsel of Record:

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Attorneys for Respondent Palmetto Trim and Renovation

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individually; Carlos and Jessica Marroquin d/b/a Marroquin Construction;
Feliciano Cruz Silva; Garcia Roofing, LLC; Givair De Caris; and Mario
Salgado.....Defendants,

and

Builders FirstSource-Southeast Group, LLC.....Third-Party Plaintiff,

vs.

Pohlman Quality Contractors, Pohlman Quality Exteriors, Palmetto Trim and
Renovation, Edward Bruce Witham and East Coast
Carpentry.....Third-Party Defendants,

of which

Builders FirstSource-Southeast Group, LLC is.....Appellant,

and

Palmetto Trim and Renovation is.....Respondent.

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that he has served the foregoing
Notice of Appeal upon all counsel of record by email and/or by affixing same with
proper postage and placing same with the United States Postal Service on this
22nd day of September, 2021 addressed to the following:

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Attorneys for Respondent Palmetto Trim and Renovation

The Notice of Appeal has also been filed with the trial court clerk's office.

[Signature page follows]

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September 22, 2021

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* Certified Mediator

Catherine L. Floeder (Of Counsel)

September 22, 2021
VIA EMAIL ONLY

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

RECEIVED
Sep 22 2021
SC Court of Appeals

Re: The Retreat at Charleston National Country Club Home Owners
Association, Inc., et al vs. Winston Carlyle Charleston National, LLC,
Builders FirstSource-Southeast Group, LLC, etc.
Civil Action No.: 2016-CP-10-03783
Our File No: 11981.5 SPH

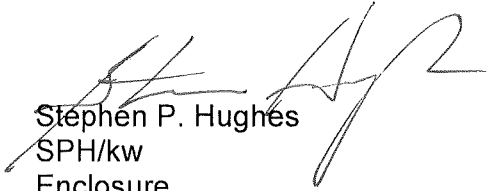
Dear Ms. Kitchings:

Please find enclosed herewith for filing in connection with the above-captioned case the Notice of Appeal and Certificate of Service with regard to (1) the Order Granting Partial Summary Judgment in Favor of Palmetto Trim and Renovations; and (2) the Form 4 Order Denying Builders FirstSource's Motion to Reconsider said order. Copies of each Order are enclosed herein. Our firm will be filing eight separate appeals regarding eight separate orders, there is one check enclosed for \$2000, \$250 of it is for the filing fee for this Notice of Appeal. I would appreciate your filing the above and returning a filed clocked copy to me by email.

With kindest regards, I am

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.


Stephen P. Hughes
SPH/kw
Enclosure

cc: All Counsel of Record