

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE BERKELEY COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis

Case No. 2010-CP-08-142
Appellate Case No. 2013-000502

Fred Danziger, Jack E. Fockler, Cheryl L. Fockler, Nancy K. Johnson, Terry D., Johnson, Jean C. Lafrance, Katherine S. Lafrance, Joseph Maurelli, Jeanne M. Sheehy, Robert F. Sheehy, Robert Weisner, David H. Williams, Jr., Joe Spano, Ruth Ann Pepple, John Stropki, Elizabeth Stropki, Steve Stormzand, Sue Stormzand, Michael Margolis and Rose Margolis.....Appellants.

v.

New Tradition Builders, Inc., New Traditions Custom Home Builders, Inc., Bracci Roofing, LLC, Castle Siding, Inc., Cohen's Drywall Company, Inc., Fine Builders, LLC, J. Mora Brick and Block Mason, LLC, AD Brick and Block, LLC, Martschink Construction Company, Inc., Sharon's Painting, LLC, Southern Interior Trim, Summers Landscape Construction, Inc., Jose DeJesus Navarro, Patriot's Drywall, Inc., Advanced Plumbing Heating and Air, Inc., Tim Latto, Tim Hilkjuijsen, CEMS, Inc., Design Works, LLC, Builders FirstSource-Southeast Group, LLC, Andersen Windows, Inc., Hoover Treated Wood Products, Inc., Arturo Sandoval Saucedo and Jesus Saucedo Sandoval, Both d/b/a J&A Construction Siding, LLC, and J&A Construction Siding, LLC.....Defendants.

Of whom Design Works, LC is the Respondent.

RESPONDENT'S CONSENT TO APPELLANTS' MOTION TO WITHDRAW
APPEAL

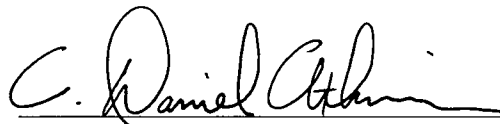
Respondent Design Works, LC (hereinafter "Design Works"), hereby consents to the Motion of Appellants Fred Danziger, Jack E. Fockler, Cheryl L. Fockler, Nancy K. Johnson, Terry D. Johnson, Jean C. Lafrance, Katherine S. Lafrance, Joseph Maurelli,

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Jeanne M. Sheehy, Robert F. Sheehy, Robert Weisner, David H. Williams, Jr., Joe Spano, Ruth Ann Pepple, John Stropki, Elizabeth Stropki, Steve Stormzand, Sue Stormzand, Michael Margolis, and Rose Margolis (collectively referenced as "Appellants") for an Order dismissing the appeal of Appellants. With the consent of Design Works, the sole Respondent in this matter, the Dismissal now stands as an Agreed Dismissal, pursuant to Rule 260(b), SCACR. With the Agreed Dismissal, Design Works respectfully requests that the Court of Appeals enter an Order of Dismissal, pursuant to Rule 260(b), SCACR.

April 17, 2013



Michael B.T. Wilkes (S.C. Bar #6107)

mwilkes@wilkeslaw.com

C. Daniel Atkinson (S.C. Bar #72721)

datkinson@wilkeslaw.com

WILKES LAW FIRM, P.A.
127 Dunbar Street, Suite 200
Spartanburg, SC 29306
Telephone 864.591.1113
Facsimile 864.591.1767

Attorneys for Respondent Design Works, LC

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v.

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Of whom Design Works, LLC is the Respondent.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I caused a true and correct copy of RESPONDENT'S CONSENT TO APPELLANTS' MOTION TO WITHDRAW APPEAL to be served via U.S. Mail, as well as electronic mail, on all counsel as shown below:

Attorneys for Appellants
Justin Lucey, Esquire

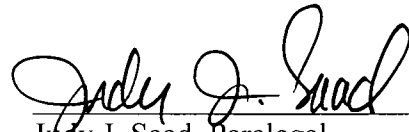
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SC Court of Appeals

Joshua F. Evans, Esquire
Dabny Lynn, Esquire
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
P.O Box 806
Mt. Pleasant, SC 29465-0806
jlucey@lucey-law.com

4-11-13

Date



Judy J. Saad, Paralegal

WILKES LAW FIRM P.A.

MICHAEL B. T. WILKES*
MATTHEW E. COX**
ELLEN S. CHEEK*
J. DERHAM COLE, JR.
ELIZABETH F. BAILEY*
C. DANIEL ATKINSON*
DEREK M. NEWBERRY*
LINDSAY L. BUILDER*

*CHARLESTON OFFICE
**ALSO MEMBER GEORGIA BAR
*ALSO MEMBER NORTH CAROLINA BAR
*ALSO MEMBER VIRGINIA BAR
*ALSO MEMBER D.C. BAR

WILKES LAW FIRM, P.A.
Reply to: SPARTANBURG OFFICE
127 DUNBAR STREET, SUITE 200
SPARTANBURG, SOUTH CAROLINA 29306
864.591.1113
TOLL FREE 866.920.1113
FAX 864.591.1767

CHARLESTON OFFICE
200 MEETING STREET, SUITE 205
CHARLESTON, SOUTH CAROLINA 29401
843.737.6229

WWW.WILKESLAW.COM

April 17, 2013

Via U.P.S. Next Day Delivery

The Honorable V. Claire Allen
Deputy Clerk
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

**Re: *Fred Danziger, et al, Appellants v. New Tradition Builders, Inc., et al,*
Defendants
Of whom Design Works, LLC is the Respondent
In the South Carolina Court of Appeals of South Carolina
Appellate Case No. 2013-000502**

Dear Ms. Allen:

Enclosed are the original and seven copies of Respondent's Consent to Appellants' Motion to Withdraw Appeal, as well as the original and seven copies of a Certificate of Service for same. Please file the original with six copies and return a filed, stamped copy of each to me in the enclosed postage prepaid envelope. Respondent files this Consent as a Return to Motion pursuant to Rule 240(e), S.C.A.C.R.

Thanks you for your assistance. If you have any questions, please advise.

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SC Court of Appeals

Sincerely,

A handwritten signature in black ink, appearing to read "C. Daniel Atkinson". The signature is fluid and cursive, with the first name "C." being a simple initial and "Daniel" and "Atkinson" written in a more elaborate, connected script.

C. Daniel Atkinson

datkinson@wilkeslaw.com

CDA/jjs
Enclosure

cc: Justin Lucey, Esquire (via U.S. Mail)