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**Oct 28 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

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Case No. 2018-CP-22-00824  
Appellate Case No. 2021-000325

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Evarista Juan Lorenzo, Appellant,

v.

Port City Elevator, Inc.; Alan Topper d/b/a All Construction; 2020 Custom Contractors a/k/a 2020 Custom Contractors, LLC; Citadel Site Management, LLC; DVBT Construction a/k/a DVBT Construction, LLC; DVBT Multiservices, LLC; Beverly Construction Group, LLC; Beverly Homes, LLC; Beverly Homebuilders, LLC; Strand Paint Contractors, LLC; Depaz Painting, LLC; Enhanced Heating & Air Conditioning, LLC; Carlton Pender, and Joan Pender, Defendants,

Of Which,

Port City Elevator, Inc.; Alan Topper d/b/a All Construction; 2020 Custom Contractors a/k/a 2020 Custom Contractors, LLC; Citadel Site Management, LLC; DVBT Construction a/k/a DVBT Construction, LLC; DVBT Multiservices, LLC; Beverly Construction Group, LLC; Beverly Homes, LLC; Beverly Homebuilders, LLC; Strand Paint Contractors, LLC; Depaz Painting, LLC; Enhanced Heating & Air Conditioning, LLC are the Respondents.

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**NOTICE OF AGREED DISMISSAL  
BETWEEN APPELLANT AND  
RESPONDENTS DVBT  
CONSTRUCTION AKA DVBT  
CONSTRUCTION, LLC AND DVBT  
MULTISERVICES, LLC ONLY  
(NOT ENDING APPEAL)**

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Appellant Evarista Juan Lorenzo and Respondents DVBT Construction a/k/a DVBT Construction, LLC and DVBT Multiservices, LLC (hereinafter “DVBT”), by and through undersigned counsel, hereby inform this Court of a settlement agreement between Appellant and Respondents DVBT.

Pursuant to Rule 260(b), SCACR, Appellant and Respondents DVBT respectfully request an order of dismissal from the Appeal and a dismissal from the caption in this case as to *only* Respondents DVBT Construction a/k/a DVBT Construction, LLC and DVBT Multiservices, LLC with each party to bear its own cost and expense with regards to claims against DVBT Construction a/k/a DVBT Construction, LLC and DVBT Multiservices, LLC. The appeal and underlying case will continue as to all other parties.

[Signatures on following page]

Respectfully submitted,

s/ Joseph D. Spate

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*Attorney for Appellant*

October 28, 2021

Columbia, South Carolina

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**PROOF OF SERVICE**

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The undersigned hereby certified that on October 28, 2021, copies of Notice of Agreed Dismissal Between Appellant and Respondents DVBT Construction a/k/a DVBT Construction,

LLC and DVBT Multiservices, LLC Only was served on counsel of record for the Appellant and Respondents via email containing the above referenced document to counsel's individual AIS email address pursuant to South Carolina Supreme Court COVID Order 2020-05-29-02 as follows:

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<p><b><u>s/ Joseph D. Spate</u></b> <b>Roopal S. Ruparelia, Esquire (SC Bar No. 16003)</b> <b>Joseph D. Spate, Esquire (SC Bar No. 103734)</b> <b>Haynsworth Sinkler Boyd, P.A.</b> <b>1201 Main Street, 22nd Floor</b> <b>Post Office Box 11889 (29211-1889)</b> <b>Columbia, South Carolina 29201</b> <b>PH: 803.779.3080</b> <b>rruparelia@hsblawfirm.com</b></p>
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