

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Mar 11 2022

APPEAL FROM BERKELEY COUNTY
COURT OF COMMON PLEAS
THE HONORABLE J.C. NICHOLSON, JR.
CIRCUIT COURT JUDGE

S.C. SUPREME COURT

APPELLATE CASE NO. 2020-001048
CIVIL ACTION NO. 2014-CP-08-2424

Patricia Damico and Lenna Lucas, Individually and on behalf of all others similarly situated, Joshua and Brettany Beutow, Edward and Sylvia Dengg, Jonathan and Theresa Douglass, Anthony and Stacey Ray, Danny and Ellen Davis Morrow, Czara and Chad England, Bryan and Cynthia Camara, and Matthew Collins,

RESPONDENTS,

versus

Lennar Carolinas, LLC, Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc. TJB Trucking/Leasing, LLC, Paragon Site Constructors, Inc., Civil Site Environmental and Rick Bryant, Individually,

DEFENDANTS,

Of which Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc. TJB Trucking/Leasing, LLC, and Civil Site Environmental are the

RESPONDENTS.

And

Lennar Carolinas, LLC,

APPELLANT,

versus

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometries Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New

Enterprises, LLC, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders Firstsource Southeast Group, LLC, and Low Country Renovations and Siding, LLP,

THIRD-PARTY DEFENDANTS,

Of which Volkmar Consulting Services, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New Enterprises, LLC, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders Firstsource Southeast Group, LLC, are also the

RESPONDENTS.

And

Decor Corporation,

FOURTH-PARTY PLAINTIFF,

versus

Baranov Flooring, LLC, DJ Construction Services, LLC, Creative Wood Floors, LLC, Geraldo Cunha, Ebenezer Flooring, LLC, Emmanuel Flooring and Siding, LLC, Eusi Flooring and Covering, LLC, Nicolas Flores, Alexander Martinez, Isidini Mejia, Juan Perez, N&B Construction, LLC, Jose Dias Rodrigues, Livia Sousa, Jose Paz Castro Hernandez, Divinio Aperecido Corgosinho, Ricardo Chiche, CEBS Construction, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and John Does 1-4,

FOURTH-PARTY DEFENDANTS.

Of whom

Patricia Damico, Joshua and Brettany Beutow, Bryan and Cynthia Camara, Matthew Collins, Jonathan and Teresa Douglas, Czarra and Chad England, Lena Lucas, and Danny and Ellen Davis Morrow are the

PETITIONERS.

**RETURN TO PETITIONERS' PETITION TO LIFT STAY AS TO DISCOVERY AND
SUBCONTRACTOR CLAIMS ON BEHALF OF RESPONDENT LAND/SITE
SERVICES, INC.**

Respondent, Land/Site Services, Inc. ("Land/Site"), opposes Petitioners' Petition to Lift Stay as to Discovery and Subcontractor Claims (the "Petition"), dated February 28, 2022, and would show that it should be denied as to Land/Site.

Land/Site joins the Return submitted by Respondents Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Knight's Concrete Products, Inc., and Knight's Redi-Mix, Inc. (hereinafter collectively "Coastal and Knight's") on March 8, 2022 and adopts the arguments in such Return fully as if set forth herein.

As with Coastal and Knight's, Petitioners have not filed a direct claim against Land/Site. The Petition should be denied as to Land/Site because Petitioners have no pending claims against Land/Site; therefore, there is nothing for this Court to stay.

Therefore, Respondent Land/Site respectfully requests that the Petition to Lift the Stay as to Discovery and Subcontractor Claims be denied.

Respectfully submitted,

THE WARD LAW FIRM, P.A.
Attorneys for Defendant Respondent
Land/Site Services, Inc.

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March 11, 2022.