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Apr 29 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
South Carolina Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable Jennifer B. McCoy

Appellate Case No. 2021-001050
Common Pleas Case No. 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,

v.

Winston Carlyle Charleston National, LLC; Colin R. Campbell Construction, Inc.; Colin Campbell, Individually; C.R. Campbell Construction Co., Inc.; Colin Campbell Construction, LLC; 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; 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 Contractors a/k/a JC Contractors, LLC; Soto & Vasquez Construction, LLC a/k/a Costa De Oliveira Construction, LLC a/k/a Costa De Oliveira Construction, LLC; Solesmar Jesus De Oliveira; Wilson Lucas Sales d/b/a Miracle Siding; Miracle Siding, LLC; Royal Homes of SC, Inc.; Colleen Batissa; Christopher Batissa; Norma Ferreira Bruno; Mendez Construction, LLC; Juan Garza Ramos; Juan Garza Ramos d/b/a Juan Constructors; Jessica Marroquin; Jessica Marroquin d/b/a Marroquin Construction; Carlos Marroquin; Carlos Marroquin and Jessica Marroquin d/b/a Marroquin Construction; Feliciano Cruz Silva Garcia Roofing, LLC; Givair De Caris; and Mario Salgado.....Defendants,

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

v.

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

Of which Palmetto Trim and and Renovation; Hurley Services, LLC; ECC Contracting, LLC; East Coast Carpentry; AC Construction, Inc.; WS Contractors, LLC; Pohlman Quality Exteriors, Inc.; and L&G Construction Group, LLC are the.....Respondents.

RESPONDENT AC CONSTRUCTION, INC.'S DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

In addition to the matter designated by Appellant and other Respondents, Respondent AC Construction proposes the following be included in the Record on Appeal:

1. AC Construction's motion for summary judgment dated 10/29/2020
2. Master Subcontract Agreement between BFS and AC Construction dated 11/7/2007
3. Circuit court order dated 7/7/2021 granting partial summary judgment to AC Construction
4. Form 4 order entered 8/23/2021
5. Plaintiffs' Complaint
6. Plaintiffs' Amended Complaint
7. Plaintiffs' Second Amended Complaint
8. Plaintiffs' Fourth Amended Complaint
9. AC Construction's Answer to Fourth Amended Complaint
10. AC Construction's Answer to BFS's Answer to Fourth Amended Complaint and Cross Claims
11. Deposition transcript of AC Construction
12. BFS's Answer to Plaintiff's Second Amended Complaint and Cross Claims
13. BFS Answer to Fourth Amended Complaint and Cross Claims

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Barnwell Fishburne, Jr.", is positioned above a horizontal line.

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Charleston, South Carolina

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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 Contractors a/k/a JC Contractors, LLC; Soto & Vasquez
Construction, LLC a/k/a Costa De Oliveira Construction, LLC a/k/a Costa De Oliveira
Construction, LLC; Solesmar Jesus De Oliveira; Wilson Lucas Sales d/b/a Miracle Siding;
Miracle Siding, LLC; Royal Homes of SC, Inc.; Colleen Batissa; Christopher Batissa; Norma
Ferreira Bruno; Mendez Construction, LLC; Juan Garza Ramos; Juan Garza Ramos d/b/a Juan
Constructors; Jessica Marroquin; Jessica Marroquin d/b/a Marroquin Construction; Carlos
Marroquin; Carlos Marroquin and Jessica Marroquin d/b/a Marroquin Construction; Feliciano
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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that he has served the foregoing “Initial Brief of Respondent and Designation of Matter To Be Included In the Record On Appeal” upon all counsel of record via electronic mail only to counsels’ last known email address on this 29th day of April, 2022.

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