

December 3, 2020

**VIA FIRST-CLASS US MAIL & E-MAIL**

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Nate Fata, P.A.  
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**Re: Structural Waterproofing, LLC v. Tribune Holdings, LLC, et al.**  
**Civil Action No.: 2020-CP-26-04842**  
**TPLG File No.: 11291.0100**

Dear Counsel,

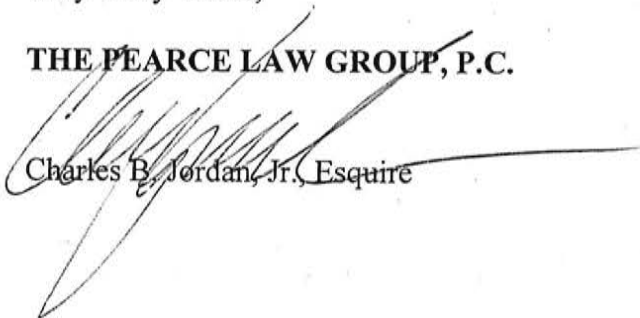
I am enclosing herewith and serving upon you, the following discovery requests consistent with the enclosed Certificate of Service:

1. *Defendant Unit Owners' First Set of Interrogatories to Plaintiff Structural Waterproofing, LLC;*
2. *Defendant Unit Owners' First Set of Requests for Production to Plaintiff Structural Waterproofing, LLC;*
3. *Defendant Unit Owners' First Set of Interrogatories to Defendant Tribune Holdings, LLC; and*
4. *Defendant Unit Owners' First Set of Requests for Production to Defendant Tribune Holdings, LLC.*

Please contact my office should you have any questions regarding the same. I appreciate your attention to this matter.

Very Truly Yours,

**THE PEARCE LAW GROUP, P.C.**

  
Charles B. Jordan, Jr., Esquire

CBJ/ahr  
Enclosures as stated

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO.: 2020-CP-26-04842

Structural Waterproofing, LLC, )  
 )  
Plaintiff, )

v. )

Tribune Holdings, LLC; South Hampton )  
Property Owners Association, Inc.; Walter )  
P. Rawl & Sons Inc; Archibald Oil & Gas )  
Operations Inc; J & M Smith Enterprises )  
LLC; 705 South Hampton LLC; EMK )  
Pennsylvania LLC; Jaybird LLC; JJVIV )  
LLC; JTV Properties LLC; Kingston )  
Partners 505 LLC; Kingston Plantation )  
Master Association, Inc.; Kingston )  
Properties V; Komax Properties LLC; Lyke )  
Properties LLC; MACJ LLC; MBMB )  
Properties LLC; Mcshurley Enterprises )  
LLC; MHK Properties, LLC; Ocean507 )  
LLC; Ohio River Aggregate Inc; South )  
Hampton 606 LLC; South Hampton )  
Properties LLC; Earl W. & Evelyn H. )  
Spangler Family Limited Partnership; Under )  
The Boardwalk LLC; William A Long & )  
Susan B Long; Timothy L Wright & Lisa J )  
Wright; Thomas N Braun & Catherine A. )  
Braun; Shawn R Dixon & Cary J Dixon; )  
Richard I Letvak & Susan A Letvak; Ralph )  
H Ashworth & Daphne A Ashworth; Peter R )  
Leinenweber & Deborah S Leinenweber; )  
Norman P Mccarter & Gayle G Mccarter; )  
Michael J Radler & Judith M Radler; )  
Melvyn R Berman & Anita Berman; )  
Leonard M Gatti Revocable Trust; Kathrine )  
E Radler & Lawrence E Radler; Jan R )  
Niezing & Ursula F Niezing; Jack L Miller )  
Jr & Jack L Miller III; Jack F Wright Jr & )  
Barbara F Wright; Jack D Cox & Velda W )  
Cox; Ira M Keen & Wanda K Keen; Hugh F )  
Madden & Beverly K Madden; Henry P )  
Gosiene & Joan F Gosiene; Harold C Dufour )  
& Jennifer Q Dufour; G V Reddy & Prema )

**UNIT OWNER DEFENDANTS'  
RULE (33) STANDARD  
INTERROGATORIES TO DEFENDANT  
TRIBUNE HOLDINGS, LLC**

Reddy; Frederick Talip & Analyn M Talip; )  
Fred D Matheson & Patricia C Matheson; )  
Frank L Taylor Jr & Deborah Kay Taylor; )  
Francis E Devince & Diane Z Devince; )  
Francis A Goad & Cynthia M Goad; Donald )  
R Fishback & Denise B Fishback; Dimitrios )  
Hryzikos & Maria D Hryzikos; Dileep S )  
Karmarkar & Sushama D Karmarkar; )  
Dennis M Boyd & Patricia J Boyd; Daniel W )  
Simmons & Patricia M Simmons; Daniel W )  
Pizzullo & Thelma D Pizzullo; Charles A )  
Mckenzie & Leslie B Mckenzie; Robert )  
Alger & Lynne Alger; Ronnie Allison & )  
Shelba Allison Geddis; Ebtissam M Ammar; )  
Dennis R Anderson Revocable Trust; )  
Howard L Armistead Jr Revocable Trust; )  
Bachner Living Trust; Jane S Baker; Gerald )  
Baron & Stephanie Baron; Mark Barth; )  
Marjory P Benson; William B Biddington; )  
Carol M. Biddington; Patrick F Blois; )  
Roderick C Broadway & Latonia Broadway; )  
Mary Jo Ray Bryan Revocable Trust; & )  
George Norman Bryan Jr Revocable Trust; )  
Helen H Bryngelson Revocable Trust; )  
William W Bunch III; George Edward Butler )  
& Krista Mullins Butler; Greg L Callaway & )  
William L Callaway; Bobby Clark Chatham; )  
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June R Clarke & Victor G. Clarke; Teresa G )  
Cockerham; Greg Combs & Mary Alice )  
Combs; Michael M Conley & Sylvia B. )  
Conley; Robert E Dicks Jr; Teresa Jane )  
Dodd; TPE Revocable Trust; John D Fisher )  
Jr; Sherry L. Fisher; John R Fisher III Trust; )  
Frizzell Living Trust; Brenda A Garrett & )  
Samuel D. Garrett; Winnie B Gee; Julia Gee )  
Muldrow; Adam R Geiss & Courtney E. )  
Geiss; Gregory S Gianuzzi & Sharon B. )  
Gianuzzi; James C Gordon; Vivian Graf & )  
Rosaly Graf; Phillip A Hedrick; Karen L. )  
Hedrick; Howard A Hedrick; Rebekah J. )  
Hedrick; William H Herbert; James Michael )  
Hopkins Sr; Jean H. Crocker; Randall K )  
Horn; Jamie Sue Robinette; Angela S. Jones; )  
Robert D Jones II; Matin M Khan & Marlene )  
R. Khan; John C Largent Declaration of )



Trust; Thomas J Leonti Jr & Lynn Leonti; )  
Tina Logan & Brendan Logan; Douglas E )  
Macdonald & Elsa B. Macdonald; Brian K )  
Macken & Jacqueline F. Macken; Terri S )  
Madigan; Richard E Daum; Robert R Mager )  
& Wendy S Mager; Barbara S Lang; Mary )  
Alice Maier; Donald R Maxfield; Thomas P )  
Mccartney; Devoe-McLean Family )  
Revocable Living Trust; Michael D )  
Mercadante & Denise Castellucci )  
Mercadante; Brigitte Morgan & Samuel G )  
Morgan; Patrick Murray & Melonie Murray; )  
Mitchell S Needle & Lisa A Needle; Kristie )  
Nystedt & Patrik Nystedt; Craig Peddicord )  
& Keith Peddicord; Antionette Pedicone; )  
George R Perkins Jr; Donna A Phipps; )  
Pituch Barnes Revocable Trust; Michele A )  
Polcer; David L Query; Lawrence E Radler; )  
Jeffrey D Rhodes; Linda S Rhodes; Bryan J )  
Robie; Penny Lee White Robie; John D )  
Rose; William M Rudolph; Christine A )  
Rudolph; Tammy Leigh Ryan; Ronald Scott; )  
Joseph C Rynn; Rosemary L Rynn; David R )  
Saggiomo; Maria Saggiomo; Michael A )  
Scarfia; Jean M Scarfia; Rick A Schirmer; )  
Helen M Schirmer; Michael T Sheehan; )  
David Sherman; Diana L Creamer; Elaine S )  
Shirley; Cole Shorter; Jamie Shorter; Arthur )  
F Steingraber; Kathleen M Steingraber; )  
Linda A Storch; Stuart J Strickland Sr; )  
Catherine N Strickland; Robert Sturey; Mary )  
Ann Sturey; Timothy Summers; Kelli )  
Summers; Kevin Bahr; Christy Bahr; Thode )  
Family Trust; Todd B Thorp; Deirdre )  
Gallahue Thorp; Barry H Traub Living )  
Trust; Jonathan W Tucker; Courtney M. )  
Tucker; )  
)  
)  
Defendants. )

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**TO: THE DEFENDANT TRIBUNE HOLDINGS, LLC AND ITS RESPECTIVE ATTORNEYS**

Pursuant to the provisions of Rule 33 of the South Carolina Rules of Civil Procedure,  
Defendants Walter P. Rawl & Sons Inc; Archibald Oil & Gas Operations Inc; J & M Smith

Enterprises LLC; 705 South Hampton LLC; EMK Pennsylvania LLC; Jaybird LLC; JJVIV LLC; JTV Properties LLC; Kingston Partners 505 LLC; Kingston Properties V; Komax Properties LLC; Lyke Properties LLC; MACJ LLC; MBMB Properties LLC; Mcshurley Enterprises LLC; MHK Properties, LLC; Ocean507 LLC; Ohio River Aggregate Inc; South Hampton 606 LLC; South Hampton Properties LLC; Earl W. & Evelyn H. Spangler Family Limited Partnership; Under The Boardwalk LLC; William A Long & Susan B Long; Timothy L Wright & Lisa J Wright; Thomas N Braun & Catherine A. Braun; Shawn R Dixon & Cary J Dixon; Richard I Letvak & Susan A Letvak; Ralph H Ashworth & Daphne A Ashworth; Peter R Leinenweber & Deborah S Leinenweber; Norman P Mccarter & Gayle G Mccarter; Michael J Radler & Judith M Radler; Melvyn R Berman & Anita Berman; Leonard M Gatti Revocable Trust; Kathrine E Radler & Lawrence E Radler; Jan R Niezing & Ursula F Niezing; Jack L Miller Jr & Jack L Miller III; Jack F Wright Jr & Barbara F Wright; Jack D Cox & Velda W Cox; Ira M Keen & Wanda K Keen; Hugh F Madden & Beverly K Madden; Henry P Gosiene & Joan F Gosiene; Harold C Dufour & Jennifer Q Dufour; G V Reddy & Prema Reddy; Frederick Talip & Analyn M Talip; Fred D Matheson & Patricia C Matheson; Frank L Taylor Jr & Deborah Kay Taylor; Francis E Devince & Diane Z Devince; Francis A Goad & Cynthia M Goad; Donald R Fishback & Denise B Fishback; Dimitrios Hrysikos & Maria D Hrysikos; Dileep S Karmarkar & Sushama D Karmarkar; Dennis M Boyd & Patricia J Boyd; Daniel W Simmons & Patricia M Simmons; Daniel W Pizzullo & Thelma D Pizzullo; Charles A Mckenzie & Leslie B Mckenzie; Robert Alger & Lynne Alger; Ronnie Allison & Shelba Allison Geddis; Ebtissam M Ammar; Dennis R Anderson Revocable Trust; Howard L Armistead Jr Revocable Trust; Bachner Living Trust; Jane S Baker; Gerald Baron & Stephanie Baron; Mark Barth; Marjory P Benson; William B Biddington; Carol M. Biddington; Patrick F Blois; Roderick C Broadway & Latonia Broadway; Mary Jo Ray Bryan Revocable Trust;



& George Norman Bryan Jr Revocable Trust; Helen H Bryngelson Revocable Trust; William W Bunch III; George Edward Butler & Krista Mullins Butler; Greg L Callaway & William L Callaway; Bobby Clark Chatham; Curtis R. Britton, Jr & Kimberly M Britton; June R Clarke & Victor G. Clarke; Teresa G Cockerham; Greg Combs & Mary Alice Combs; Michael M Conley & Sylvia B. Conley; Robert E Dicks Jr; Teresa Jane Dodd; TPE Revocable Trust; John D Fisher Jr; Sherry L. Fisher; John R Fisher III Trust; Frizzell Living Trust; Brenda A Garrett & Samuel D. Garrett; Winnie B Gee; Julia Gee Muldrow; Adam R Geiss & Courtney E. Geiss; Gregory S Gianuzzi & Sharon B. Gianuzzi; James C Gordon; Vivian Graf & Rosaly Graf; Phillip A Hedrick; Karen L. Hedrick; Howard A Hedrick; Rebekah J. Hedrick; William H Herbert; James Michael Hopkins Sr; Jean H. Crocker; Randall K Horn; Jamie Sue Robinette; Angela S. Jones; Robert D Jones II; Matin M Khan & Marlene R. Khan; John C Largent Declaration of Trust; Thomas J Leonti Jr & Lynn Leonti; Tina Logan & Brendan Logan; Douglas E Macdonald & Elsa B. Macdonald; Brian K Macken & Jacqueline F. Macken; Terri S Madigan; Richard E Daum; Robert R Mager & Wendy S Mager; Barbara S Lang; Mary Alice Maier; Donald R Maxfield; Thomas P McCartney; Devoe-McLean Family Revocable Living Trust; Michael D Mercadante & Denise Castellucci Mercadante; Brigitte Morgan & Samuel G Morgan; Patrick Murray & Melonie Murray; Mitchell S Needle & Lisa A Needle; Kristie Nystedt & Patrik Nystedt; Craig Peddicord & Keith Peddicord; Antionette Pedicone; George R Perkins Jr; Donna A Phipps; Pituch Barnes Revocable Trust; Michele A Polcer; David L Query; Lawrence E Radler; Jeffrey D Rhodes; Linda S Rhodes; Bryan J Robie; Penny Lee White Robie; John D Rose; William M Rudolph; Christine A Rudolph; Tammy Leigh Ryan; Ronald Scott; Joseph C Rynn; Rosemary L Rynn; David R Saggiomo; Maria Saggiomo; Michael A Scarfia; Jean M Scarfia; Rick A Schirmer; Helen M Schirmer; Michael T Sheehan; David Sherman; Diana L Creamer; Elaine S Shirley; Cole Shorter;

Jamie Shorter; Arthur F Steingraber; Kathleen M Steingraber; Linda A Storch; Stuart J Strickland Sr; Catherine N Strickland; Robert Sturey; Mary Ann Sturey; Timothy Summers; Kelli Summers; Kevin Bahr; Christy Bahr; Thode Family Trust; Todd B Thorp; Deirdre Gallahue Thorp; Barry H Traub Living Trust; Jonathan W Tucker; and Courtney M. Tucker (collectively referred to herein as the “Unit Owner Defendants”) hereby propounds and serves the following Rule 33 Standard Interrogatories to Defendant Tribune Holdings, LLC, to be answered separately and fully in writing and under oath within thirty (30) days from the date of service hereof.

### **INSTRUCTIONS**

A. All information is to be divulged which is in the possession of the individual or corporate party, your attorney, investigators, agents, employees or other representatives of the named party and your attorney.

B. Where the terms “incident” or “the incident” are used, they are meant to mean any facts or circumstances which is the basis of this lawsuit, unless otherwise specified.

C. The term “project or property” shall refer to the subject property at issue in this matter, unless otherwise specified.

D. These Interrogatories are to be regarded as continuing, and you are requested to provide, by way of supplementary answers thereto, additional information as may hereafter be obtained by you or any person or organization on your behalf which will augment or otherwise modify your answers given between the time the answers are returned and the time of trial.

### **RULE 33 STANDARD INTERROGATORIES TO DEFENDANT TRIBUNE HOLDINGS, LLC**

1. Give the names and addresses of persons known to the parties or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.

2. Set forth a list of photographs, plats, sketches or other prepared documents in possession of the party that relate to the claim or defense in the case.

3. Set forth the names and addresses of all insurance companies which have liability insurance coverage relating to the claim and set forth the number or numbers of the policies involved and the amount or amounts of liability coverage provided in each policy.

4. Set forth an itemized statement of all damages, exclusive of pain and suffering, claimed to have been sustained by the party.

5. List the names and addresses of any expert witnesses whom the party proposes to use as a witness at the trial of the case.

6. For each person known to the parties or counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.

**THE PEARCE LAW GROUP, P.C.**

By:

  
Charles B. Jordan, Jr., Esquire  
S.C. Bar No.: 11708  
E-mail: cjordan@pearcelawgroup.com  
Hala Sadek, Esquire  
S.C. Bar No.: 104006  
E-mail: hsadek@pearcelawgroup.com  
1314 Professional Drive  
Myrtle Beach, South Carolina 29577  
Telephone: (843) 839-3210  
Facsimile: (843) 839-3214

*ATTORNEYS FOR DEFENDANT UNIT OWNERS*

Dated: December 3, 2020  
Myrtle Beach, South Carolina



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO.: 2020-CP-26-04842

Structural Waterproofing, LLC, )  
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Plaintiff, )

v. )

Tribune Holdings, LLC; South Hampton )  
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LLC; 705 South Hampton LLC; EMK )  
Pennsylvania LLC; Jaybird LLC; JJVIV )  
LLC; JTV Properties LLC; Kingston )  
Partners 505 LLC; Kingston Plantation )  
Master Association, Inc.; Kingston )  
Properties V; Komax Properties LLC; Lyke )  
Properties LLC; MACJ LLC; MBMB )  
Properties LLC; Mcshurley Enterprises )  
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Hampton 606 LLC; South Hampton )  
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The Boardwalk LLC; William A Long & )  
Susan B Long; Timothy L Wright & Lisa J )  
Wright; Thomas N Braun & Catherine A. )  
Braun; Shawn R Dixon & Cary J Dixon; )  
Richard I Letvak & Susan A Letvak; Ralph )  
H Ashworth & Daphne A Ashworth; Peter R )  
Leinenweber & Deborah S Leinenweber; )  
Norman P Mccarter & Gayle G Mccarter; )  
Michael J Radler & Judith M Radler; )  
Melvyn R Berman & Anita Berman; )  
Leonard M Gatti Revocable Trust; Kathrine )  
E Radler & Lawrence E Radler; Jan R )  
Niezing & Ursula F Niezing; Jack L Miller )  
Jr & Jack L Miller III; Jack F Wright Jr & )  
Barbara F Wright; Jack D Cox & Velda W )  
Cox; Ira M Keen & Wanda K Keen; Hugh F )  
Madden & Beverly K Madden; Henry P )  
Gosiene & Joan F Gosiene; Harold C Dufour )  
& Jennifer Q Dufour; G V Reddy & Prema )

**DEFENDANT UNIT OWNERS ' )  
FIRST SET OF REQUESTS FOR )  
PRODUCTION TO DEFENDANT )  
TRIBUNE HOLDINGS, LLC )**

Reddy; Frederick Talip & Anlyn M Talip; )  
Fred D Matheson & Patricia C Matheson; )  
Frank L Taylor Jr & Deborah Kay Taylor; )  
Francis E Devince & Diane Z Devince; )  
Francis A Goad & Cynthia M Goad; Donald )  
R Fishback & Denise B Fishback; Dimitrios )  
Hryzikos & Maria D Hryzikos; Dileep S )  
Karmarkar & Sushama D Karmarkar; )  
Dennis M Boyd & Patricia J Boyd; Daniel W )  
Simmons & Patricia M Simmons; Daniel W )  
Pizzullo & Thelma D Pizzullo; Charles A )  
Mckenzie & Leslie B Mckenzie; Robert )  
Alger & Lynne Alger; Ronnie Allison & )  
Shelba Allison Geddis; Ebtissam M Ammar; )  
Dennis R Anderson Revocable Trust; )  
Howard L Armistead Jr Revocable Trust; )  
Bachner Living Trust; Jane S Baker; Gerald )  
Baron & Stephanie Baron; Mark Barth; )  
Marjory P Benson; William B Biddington; )  
Carol M. Biddington; Patrick F Blois; )  
Roderick C Broadway & Latonia Broadway; )  
Mary Jo Ray Bryan Revocable Trust; & )  
George Norman Bryan Jr Revocable Trust; )  
Helen H Bryngelson Revocable Trust; )  
William W Bunch III; George Edward Butler )  
& Krista Mullins Butler; Greg L Callaway & )  
William L Callaway; Bobby Clark Chatham; )  
Curtis R. Britton, Jr & Kimberly M Britton; )  
June R Clarke & Victor G. Clarke; Teresa G )  
Cockerham; Greg Combs & Mary Alice )  
Combs; Michael M Conley & Sylvia B. )  
Conley; Robert E Dicks Jr; Teresa Jane )  
Dodd; TPE Revocable Trust; John D Fisher )  
Jr; Sherry L. Fisher; John R Fisher III Trust; )  
Frizzell Living Trust; Brenda A Garrett & )  
Samuel D. Garrett; Winnie B Gee; Julia Gee )  
Muldrow; Adam R Geiss & Courtney E. )  
Geiss; Gregory S Gianuzzi & Sharon B. )  
Gianuzzi; James C Gordon; Vivian Graf & )  
Rosaly Graf; Phillip A Hedrick; Karen L. )  
Hedrick; Howard A Hedrick; Rebekah J. )  
Hedrick; William H Herbert; James Michael )  
Hopkins Sr; Jean H. Crocker; Randall K )  
Horn; Jamie Sue Robinette; Angela S. Jones; )  
Robert D Jones II; Matin M Khan & Marlene )  
R. Khan; John C Largent Declaration of )





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Jr Revocable Trust; Helen H Bryngelson Revocable Trust; William W Bunch III; George Edward Butler & Krista Mullins Butler; Greg L Callaway & William L Callaway; Bobby Clark Chatham; Curtis R. Britton, Jr & Kimberly M Britton; June R Clarke & Victor G. Clarke; Teresa G Cockerham; Greg Combs & Mary Alice Combs; Michael M Conley & Sylvia B. Conley; Robert E Dicks Jr; Teresa Jane Dodd; TPE Revocable Trust; John D Fisher Jr; Sherry L. Fisher; John R Fisher III Trust; Frizzell Living Trust; Brenda A Garrett & Samuel D. Garrett; Winnie B Gee; Julia Gee Muldrow; Adam R Geiss & Courtney E. Geiss; Gregory S Gianuzzi & Sharon B. Gianuzzi; James C Gordon; Vivian Graf & Rosaly Graf; Phillip A Hedrick; Karen L. Hedrick; Howard A Hedrick; Rebekah J. Hedrick; William H Herbert; James Michael Hopkins Sr; Jean H. Crocker; Randall K Horn; Jamie Sue Robinette; Angela S. Jones; Robert D Jones II; Martin M Khan & Marlene R. Khan; John C Largent Declaration of Trust; Thomas J Leonti Jr & Lynn Leonti; Tina Logan & Brendan Logan; Douglas E Macdonald & Elsa B. Macdonald; Brian K Macken & Jacqueline F. Macken; Terri S Madigan; Richard E Daum; Robert R Mager & Wendy S Mager; Barbara S Lang; Mary Alice Maier; Donald R Maxfield; Thomas P McCartney; Devoe-McLean Family Revocable Living Trust; Michael D Mercadante & Denise Castellucci Mercadante; Brigitte Morgan & Samuel G Morgan; Patrick Murray & Melonie Murray; Mitchell S Needle & Lisa A Needle; Kristie Nystedt & Patrik Nystedt; Craig Peddicord & Keith Peddicord; Antionette Pedicone; George R Perkins Jr; Donna A Phipps; Pituch Barnes Revocable Trust; Michele A Polcer; David L Query; Lawrence E Radler; Jeffrey D Rhodes; Linda S Rhodes; Bryan J Robie; Penny Lee White Robie; John D Rose; William M Rudolph; Christine A Rudolph; Tammy Leigh Ryan; Ronald Scott; Joseph C Rynn; Rosemary L Rynn; David R Saggiomo; Maria Saggiomo; Michael A Scarfia; Jean M Scarfia; Rick A Schirmer; Helen M Schirmer; Michael T Sheehan; David Sherman; Diana L Creamer; Elaine S Shirley; Cole Shorter; Jamie Shorter; Arthur F



Steingraber; Kathleen M Steingraber; Linda A Storch; Stuart J Strickland Sr; Catherine N Strickland; Robert Sturey; Mary Ann Sturey; Timothy Summers; Kelli Summers; Kevin Bahr; Christy Bahr; Thode Family Trust; Todd B Thorp; Deirdre Gallahue Thorp; Barry H Traub Living Trust; Jonathan W Tucker; and Courtney M. Tucker (collectively referred to herein as the "Defendant Unit Owners ") by and through its undersigned counsel, hereby serve upon counsel for Defendant Tribune Holdings, LLC (hereinafter "Tribune Holdings"), by and through their undersigned counsel, hereby requests Tribune Holdings to produce and permit the Defendant Unit Owners to inspect and copy each of the documents described below.

### INSTRUCTIONS

- A. As used in these request, the term 'Documents' means any written, printed, recorded, typed or graphic matter, however produced or reproduced, including all non-identical copies thereof and further includes but is not limited to any books, ledgers, pamphlets, periodicals, brochures, letters, memoranda, advertisements, proposals, telegrams, reports, telephone logs, drafts, business records, handwritten notes, bills, checks, invoices, tapes, transcripts, photographs, and other data compilations from which information can be obtained, which are in the possession, custody or control of the Tribune Holdings or their attorney.
- B. All information is to be divulged which is in the possession of the individual or corporate party, your attorney, investigators, agents, employees or other representatives of the named party.
- C. Where the terms "incident" or "the incident" are used, they are meant to mean the incident which is the basis of this lawsuit, unless otherwise specified.
- D. These Requests for Production are intended as continuing requests, requiring you to answer by supplemental production, setting forth any information within the scope of the requests as may be required by you, your agents, attorneys, or representatives following your original answers.
- E. The documents described below shall be produced in the offices of the undersigned counsel for the Defendant Unit Owners between the hours of 8:30 a.m. and 5:00 p.m. during a weekday (Monday through Friday) within thirty (30) days after the service hereof. The copying of the documents produced will be at the Tribune Holdings's expense.



## DEFINITIONS

- A. The terms “and” and “or” as used herein are both conjunctive and disjunctive.
- B. The term “document” is use in the widest possible sense and includes, and is not limited to, correspondence, diagrams, data processing, storage units, photographs, tapes, invoices, contracts, receipts, bills, orders, notes, and other written communications, plus all other items identified as documents in Rule 34 of the South Carolina Rules of Civil Procedure. This request seeks production of all original documents of any nature whatsoever and all non-identical copies of them in the possession, custody, or control of Tribune Holdings or their attorney, plus identification of any other documents of which Tribune Holdings or their attorney has knowledge. In all cases where an original is unavailable, “document” may also mean a copy.
- C. The term “communication” and “communications” means all meetings, interviews, conversations, conferences, discussions, correspondence, messages, telegrams, telefaxes, electronic mail, mailgrams, telephone conversations, and all oral, written, and electronic expressions or other occurrences, whereby thoughts, opinions, information or data is transmitted between two or more persons.
- D. The term “including: shall mean “including, but not limited to.”
- E. The term “Plaintiff” refers to Structural Waterproofing, LLC.
- F. The term “Project” means construction of the property known as South Hampton at Kingston Plantation in Myrtle Beach, South Carolina.
- G. The term “Property” means South Hampton at Kingston Plantation in Myrtle Beach, South Carolina, which is the subject of this litigation.
- H. The terms “refer to” or “relate to” shall mean mentioning, comprising, constituting, indicating, describing, reflecting, evidencing, regarding, pertaining to, showing, discussing,

connected with, memorizing or involving in any way whatsoever the subject matter of the request, including having a legal, factual, or logical connection, relationship, correlation, or association with the subject matter of the request. A document or communication may “refer to” or “relate to” an individual or entity without specially mentioning or discussing said individual or entity by name.

- I. The singular includes the plural and vice versa.

**REQUESTS FOR PRODUCTION TO DEFENDANT TRIBUNE HOLDINGS , LLC**

1. Any and all statements, transcriptions or other similar materials, including interpretations thereof, made by any parties, witnesses or other persons, in whatever form, in any way related to or supporting or documenting the allegations contained in the Complaint.

2. Any and all memoranda, reports or other similar materials which in any way might relate to the Complaint herein which are within the possession of the Tribune Holdings or their attorney, whether written, recorded, or otherwise.

3. Any and all exhibits which the Tribune Holdings intends to introduce upon the trial of the case or to be used in support of the allegations contained in the Complaint, to include but not limited to negatives of all photographs, writings, drawings, graphs, charts, phonorecords, or other data compilations, from which information can be obtained or translated, in reasonably usable form.

4. With regard to any expert witnesses identified in Tribune Holdings’s Answers to the Defendant Unit Owners’ Interrogatories, please provide the following:

- a. All documents prepared by the expert;
- b. All documents sent to the expert by Tribune Holdings and/or Tribune Holdings’s counsel;
- c. All documents relied upon by the expert;
- d. All documents used, consulted, or reviewed by the expert;

- e. All documents setting forth the compensation agreement between Tribune Holdings and the expert;
  - f. All documents used, relied upon, consulted, or reviewed by the expert in answering Interrogatories;
  - g. All documents that have been or will be shown to the expert prior to trial testimony; and
  - h. All documents, including a current curriculum vitae, used to establish the expert's qualifications for trial purposes.
5. A copy of Tribune Holdings's entire construction file for the Project.
6. Any and all correspondence with the Defendant Unit Owners including but not limited to written, telephonic, or electronic communication.
7. Any and all documents of any type or kind whatsoever identified or relied upon in your Answers to Defendant Unit Owners' Interrogatories.

**THE PEARCE LAW GROUP, P.C.**

By:



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1314 Professional Drive  
Myrtle Beach, South Carolina 29577  
Telephone: (843) 839-3210  
Facsimile: (843) 839-3214

*ATTORNEYS FOR DEFENDANT UNIT OWNERS*

Dated: December 3, 2020  
Myrtle Beach, South Carolina



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO.: 2020-CP-26-04842

Structural Waterproofing, LLC, )  
 )  
Plaintiff, )

v. )

Tribune Holdings, LLC; South Hampton )  
Property Owners Association, Inc.; Walter )  
P. Rawl & Sons Inc; Archibald Oil & Gas )  
Operations Inc; J & M Smith Enterprises )  
LLC; 705 South Hampton LLC; EMK )  
Pennsylvania LLC; Jaybird LLC; JJVIV )  
LLC; JTV Properties LLC; Kingston )  
Partners 505 LLC; Kingston Plantation )  
Master Association, Inc.; Kingston )  
Properties V; Komax Properties LLC; Lyke )  
Properties LLC; MACJ LLC; MBMB )  
Properties LLC; Mcshurley Enterprises )  
LLC; MHK Properties, LLC; Ocean507 )  
LLC; Ohio River Aggregate Inc; South )  
Hampton 606 LLC; South Hampton )  
Properties LLC; Earl W. & Evelyn H. )  
Spangler Family Limited Partnership; Under )  
The Boardwalk LLC; William A Long & )  
Susan B Long; Timothy L Wright & Lisa J )  
Wright; Thomas N Braun & Catherine A. )  
Braun; Shawn R Dixon & Cary J Dixon; )  
Richard I Letvak & Susan A Letvak; Ralph )  
H Ashworth & Daphne A Ashworth; Peter R )  
Leinenweber & Deborah S Leinenweber; )  
Norman P Mccarter & Gayle G Mccarter; )  
Michael J Radler & Judith M Radler; )  
Melvyn R Berman & Anita Berman; )  
Leonard M Gatti Revocable Trust; Kathrine )  
E Radler & Lawrence E Radler; Jan R )  
Niezing & Ursula F Niezing; Jack L Miller )  
Jr & Jack L Miller III; Jack F Wright Jr & )  
Barbara F Wright; Jack D Cox & Velda W )  
Cox; Ira M Keen & Wanda K Keen; Hugh F )  
Madden & Beverly K Madden; Henry P )  
Gosiene & Joan F Gosiene; Harold C Dufour )  
& Jennifer Q Dufour; G V Reddy & Prema )

**UNIT OWNER DEFENDANTS'**  
**RULE (33) STANDARD**  
**INTERROGATORIES TO PLAINTIFF**  
**STRUCTURAL WATERPROOFING, LLC**

Reddy; Frederick Talip & Analyn M Talip; )  
Fred D Matheson & Patricia C Matheson; )  
Frank L Taylor Jr & Deborah Kay Taylor; )  
Francis E Devince & Diane Z Devince; )  
Francis A Goad & Cynthia M Goad; Donald )  
R Fishback & Denise B Fishback; Dimitrios )  
Hryzikos & Maria D Hryzikos; Dileep S )  
Karmarkar & Sushama D Karmarkar; )  
Dennis M Boyd & Patricia J Boyd; Daniel W )  
Simmons & Patricia M Simmons; Daniel W )  
Pizzullo & Thelma D Pizzullo; Charles A )  
Mckenzie & Leslie B Mckenzie; Robert )  
Alger & Lynne Alger; Ronnie Allison & )  
Shelba Allison Geddis; Ebtissam M Ammar; )  
Dennis R Anderson Revocable Trust; )  
Howard L Armistead Jr Revocable Trust; )  
Bachner Living Trust; Jane S Baker; Gerald )  
Baron & Stephanie Baron; Mark Barth; )  
Marjory P Benson; William B Biddington; )  
Carol M. Biddington; Patrick F Blois; )  
Roderick C Broadway & Latonia Broadway; )  
Mary Jo Ray Bryan Revocable Trust; & )  
George Norman Bryan Jr Revocable Trust; )  
Helen H Bryngelson Revocable Trust; )  
William W Bunch III; George Edward Butler )  
& Krista Mullins Butler; Greg L Callaway & )  
William L Callaway; Bobby Clark Chatham; )  
Curtis R. Britton, Jr & Kimberly M Britton; )  
June R Clarke & Victor G. Clarke; Teresa G )  
Cockerham; Greg Combs & Mary Alice )  
Combs; Michael M Conley & Sylvia B. )  
Conley; Robert E Dicks Jr; Teresa Jane )  
Dodd; TPE Revocable Trust; John D Fisher )  
Jr; Sherry L. Fisher; John R Fisher III Trust; )  
Frizzell Living Trust; Brenda A Garrett & )  
Samuel D. Garrett; Winnie B Gee; Julia Gee )  
Muldrow; Adam R Geiss & Courtney E. )  
Geiss; Gregory S Gianuzzi & Sharon B. )  
Gianuzzi; James C Gordon; Vivian Graf & )  
Rosaly Graf; Phillip A Hedrick; Karen L. )  
Hedrick; Howard A Hedrick; Rebekah J. )  
Hedrick; William H Herbert; James Michael )  
Hopkins Sr; Jean H. Crocker; Randall K )  
Horn; Jamie Sue Robinette; Angela S. Jones; )  
Robert D Jones II; Matin M Khan & Marlene )  
R. Khan; John C Largent Declaration of )

Trust; Thomas J Leonti Jr & Lynn Leonti; )  
Tina Logan & Brendan Logan; Douglas E )  
Macdonald & Elsa B. Macdonald; Brian K )  
Macken & Jacqueline F. Macken; Terri S )  
Madigan; Richard E Daum; Robert R Mager )  
& Wendy S Mager; Barbara S Lang; Mary )  
Alice Maier; Donald R Maxfield; Thomas P )  
Mccartney; Devoe-McLean Family )  
Revocable Living Trust; Michael D )  
Mercadante & Denise Castellucci )  
Mercadante; Brigitte Morgan & Samuel G )  
Morgan; Patrick Murray & Melonie Murray; )  
Mitchell S Needle & Lisa A Needle; Kristie )  
Nystedt & Patrik Nystedt; Craig Peddicord )  
& Keith Peddicord; Antionette Pedicone; )  
George R Perkins Jr; Donna A Phipps; )  
Pituch Barnes Revocable Trust; Michele A )  
Polcer; David L Query; Lawrence E Radler; )  
Jeffrey D Rhodes; Linda S Rhodes; Bryan J )  
Robie; Penny Lee White Robie; John D )  
Rose; William M Rudolph; Christine A )  
Rudolph; Tammy Leigh Ryan; Ronald Scott; )  
Joseph C Rynn; Rosemary L Rynn; David R )  
Saggiomo; Maria Saggiomo; Michael A )  
Scarfia; Jean M Scarfia; Rick A Schirmer; )  
Helen M Schirmer; Michael T Sheehan; )  
David Sherman; Diana L Creamer; Elaine S )  
Shirley; Cole Shorter; Jamie Shorter; Arthur )  
F Steingraber; Kathleen M Steingraber; )  
Linda A Storch; Stuart J Strickland Sr; )  
Catherine N Strickland; Robert Sturey; Mary )  
Ann Sturey; Timothy Summers; Kelli )  
Summers; Kevin Bahr; Christy Bahr; Thode )  
Family Trust; Todd B Thorp; Deirdre )  
Gallahue Thorp; Barry H Traub Living )  
Trust; Jonathan W Tucker; Courtney M. )  
Tucker; )  
) )  
) )  
Defendants. )

**TO: THE ABOVE-NAMED PLAINTIFF AND ITS RESPECTIVE ATTORNEYS**

Pursuant to the provisions of Rule 33 of the South Carolina Rules of Civil Procedure,  
Defendants Walter P. Rawl & Sons Inc; Archibald Oil & Gas Operations Inc; J & M Smith



Enterprises LLC; 705 South Hampton LLC; EMK Pennsylvania LLC; Jaybird LLC; JJVIV LLC; JTV Properties LLC; Kingston Partners 505 LLC; Kingston Properties V; Komax Properties LLC; Lyke Properties LLC; MACJ LLC; MBMB Properties LLC; Mcshurley Enterprises LLC; MHK Properties, LLC; Ocean507 LLC; Ohio River Aggregate Inc; South Hampton 606 LLC; South Hampton Properties LLC; Earl W. & Evelyn H. Spangler Family Limited Partnership; Under The Boardwalk LLC; William A Long & Susan B Long; Timothy L Wright & Lisa J Wright; Thomas N Braun & Catherine A. Braun; Shawn R Dixon & Cary J Dixon; Richard I Letvak & Susan A Letvak; Ralph H Ashworth & Daphne A Ashworth; Peter R Leinenweber & Deborah S Leinenweber; Norman P Mccarter & Gayle G Mccarter; Michael J Radler & Judith M Radler; Melvyn R Berman & Anita Berman; Leonard M Gatti Revocable Trust; Kathrine E Radler & Lawrence E Radler; Jan R Niezing & Ursula F Niezing; Jack L Miller Jr & Jack L Miller III; Jack F Wright Jr & Barbara F Wright; Jack D Cox & Velda W Cox; Ira M Keen & Wanda K Keen; Hugh F Madden & Beverly K Madden; Henry P Gosiene & Joan F Gosiene; Harold C Dufour & Jennifer Q Dufour; G V Reddy & Prema Reddy; Frederick Talip & Anlyn M Talip; Fred D Matheson & Patricia C Matheson; Frank L Taylor Jr & Deborah Kay Taylor; Francis E Devince & Diane Z Devince; Francis A Goad & Cynthia M Goad; Donald R Fishback & Denise B Fishback; Dimitrios Hrysikos & Maria D Hrysikos; Dileep S Karmarkar & Sushama D Karmarkar; Dennis M Boyd & Patricia J Boyd; Daniel W Simmons & Patricia M Simmons; Daniel W Pizzullo & Thelma D Pizzullo; Charles A Mckenzie & Leslie B Mckenzie; Robert Alger & Lynne Alger; Ronnie Allison & Shelba Allison Geddis; Ebtissam M Ammar; Dennis R Anderson Revocable Trust; Howard L Armistead Jr Revocable Trust; Bachner Living Trust; Jane S Baker; Gerald Baron & Stephanie Baron; Mark Barth; Marjory P Benson; William B Biddington; Carol M. Biddington; Patrick F Blois; Roderick C Broadway & Latonia Broadway; Mary Jo Ray Bryan Revocable Trust;

& George Norman Bryan Jr Revocable Trust; Helen H Bryngelson Revocable Trust; William W Bunch III; George Edward Butler & Krista Mullins Butler; Greg L Callaway & William L Callaway; Bobby Clark Chatham; Curtis R. Britton, Jr & Kimberly M Britton; June R Clarke & Victor G. Clarke; Teresa G Cockerham; Greg Combs & Mary Alice Combs; Michael M Conley & Sylvia B. Conley; Robert E Dicks Jr; Teresa Jane Dodd; TPE Revocable Trust; John D Fisher Jr; Sherry L. Fisher; John R Fisher III Trust; Frizzell Living Trust; Brenda A Garrett & Samuel D. Garrett; Winnie B Gee; Julia Gee Muldrow; Adam R Geiss & Courtney E. Geiss; Gregory S Gianuzzi & Sharon B. Gianuzzi; James C Gordon; Vivian Graf & Rosaly Graf; Phillip A Hedrick; Karen L. Hedrick; Howard A Hedrick; Rebekah J. Hedrick; William H Herbert; James Michael Hopkins Sr; Jean H. Crocker; Randall K Horn; Jamie Sue Robinette; Angela S. Jones; Robert D Jones II; Matin M Khan & Marlene R. Khan; John C Largent Declaration of Trust; Thomas J Leonti Jr & Lynn Leonti; Tina Logan & Brendan Logan; Douglas E Macdonald & Elsa B. Macdonald; Brian K Macken & Jacqueline F. Macken; Terri S Madigan; Richard E Daum; Robert R Mager & Wendy S Mager; Barbara S Lang; Mary Alice Maier; Donald R Maxfield; Thomas P McCartney; Devoe-McLean Family Revocable Living Trust; Michael D Mercadante & Denise Castellucci Mercadante; Brigitte Morgan & Samuel G Morgan; Patrick Murray & Melonie Murray; Mitchell S Needle & Lisa A Needle; Kristie Nystedt & Patrik Nystedt; Craig Peddicord & Keith Peddicord; Antionette Pedicone; George R Perkins Jr; Donna A Phipps; Pituch Barnes Revocable Trust; Michele A Polcer; David L Query; Lawrence E Radler; Jeffrey D Rhodes; Linda S Rhodes; Bryan J Robie; Penny Lee White Robie; John D Rose; William M Rudolph; Christine A Rudolph; Tammy Leigh Ryan; Ronald Scott; Joseph C Rynn; Rosemary L Rynn; David R Saggiomo; Maria Saggiomo; Michael A Scarfia; Jean M Scarfia; Rick A Schirmer; Helen M Schirmer; Michael T Sheehan; David Sherman; Diana L Creamer; Elaine S Shirley; Cole Shorter;



Jamie Shorter; Arthur F Steingraber; Kathleen M Steingraber; Linda A Storch; Stuart J Strickland Sr; Catherine N Strickland; Robert Sturey; Mary Ann Sturey; Timothy Summers; Kelli Summers; Kevin Bahr; Christy Bahr; Thode Family Trust; Todd B Thorp; Deirdre Gallahue Thorp; Barry H Traub Living Trust; Jonathan W Tucker; and Courtney M. Tucker (collectively referred to herein as the “Unit Owner Defendants”) hereby propounds and serves the following Rule 33 Standard Interrogatories to Plaintiff Structural Waterproofing, LLC to be answered separately and fully in writing and under oath within thirty (30) days from the date of service hereof.

### **INSTRUCTIONS**

A. All information is to be divulged which is in the possession of the individual or corporate party, your attorney, investigators, agents, employees or other representatives of the named party and your attorney.

B. Where the terms “incident” or “the incident” are used, they are meant to mean any facts or circumstances which is the basis of this lawsuit, unless otherwise specified.

C. The term “project or property” shall refer to the subject property at issue in this matter, unless otherwise specified.

D. These Interrogatories are to be regarded as continuing, and you are requested to provide, by way of supplementary answers thereto, additional information as may hereafter be obtained by you or any person or organization on your behalf which will augment or otherwise modify your answers given between the time the answers are returned and the time of trial.

### **RULE 33 STANDARD INTERROGATORIES TO PLAINTIFF**

1. Give the names and addresses of persons known to the parties or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.

2. Set forth a list of photographs, plats, sketches or other prepared documents in possession of the party that relate to the claim or defense in the case.

3. Set forth the names and addresses of all insurance companies which have liability insurance coverage relating to the claim and set forth the number or numbers of the policies involved and the amount or amounts of liability coverage provided in each policy.



4. Set forth an itemized statement of all damages, exclusive of pain and suffering, claimed to have been sustained by the party.

5. List the names and addresses of any expert witnesses whom the party proposes to use as a witness at the trial of the case.

6. For each person known to the parties or counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.

**THE PEARCE LAW GROUP, P.C.**

By:



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S.C. Bar No.: 104006  
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1314 Professional Drive  
Myrtle Beach, South Carolina 29577  
Telephone: (843) 839-3210  
Facsimile: (843) 839-3214

*ATTORNEYS FOR DEFENDANT UNIT OWNERS*

Dated: December 3, 2020  
Myrtle Beach, South Carolina

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO.: 2020-CP-26-04842

Structural Waterproofing, LLC, )  
 )  
Plaintiff, )

v. )

Tribune Holdings, LLC; South Hampton )  
Property Owners Association, Inc.; Walter )  
P. Rawl & Sons Inc; Archibald Oil & Gas )  
Operations Inc; J & M Smith Enterprises )  
LLC; 705 South Hampton LLC; EMK )  
Pennsylvania LLC; Jaybird LLC; JJVIV )  
LLC; JTV Properties LLC; Kingston )  
Partners 505 LLC; Kingston Plantation )  
Master Association, Inc.; Kingston )  
Properties V; Komax Properties LLC; Lyke )  
Properties LLC; MACJ LLC; MBMB )  
Properties LLC; Mcshurley Enterprises )  
LLC; MHK Properties, LLC; Ocean507 )  
LLC; Ohio River Aggregate Inc; South )  
Hampton 606 LLC; South Hampton )  
Properties LLC; Earl W. & Evelyn H. )  
Spangler Family Limited Partnership; Under )  
The Boardwalk LLC; William A Long & )  
Susan B Long; Timothy L Wright & Lisa J )  
Wright; Thomas N Braun & Catherine A. )  
Braun; Shawn R Dixon & Cary J Dixon; )  
Richard I Letvak & Susan A Letvak; Ralph )  
H Ashworth & Daphne A Ashworth; Peter R )  
Leinenweber & Deborah S Leinenweber; )  
Norman P Mccarter & Gayle G Mccarter; )  
Michael J Radler & Judith M Radler; )  
Melvyn R Berman & Anita Berman; )  
Leonard M Gatti Revocable Trust; Kathrine )  
E Radler & Lawrence E Radler; Jan R )  
Niezing & Ursula F Niezing; Jack L Miller )  
Jr & Jack L Miller III; Jack F Wright Jr & )  
Barbara F Wright; Jack D Cox & Velda W )  
Cox; Ira M Keen & Wanda K Keen; Hugh F )  
Madden & Beverly K Madden; Henry P )  
Gosiene & Joan F Gosiene; Harold C Dufour )  
& Jennifer Q Dufour; G V Reddy & Prema )

**DEFENDANT UNIT OWNERS '**  
**FIRST SET OF REQUESTS FOR**  
**PRODUCTION TO PLAINTIFF**  
**STRUCTURAL WATERPROOFING, LLC**

Reddy; Frederick Talip & Analyn M Talip; )  
Fred D Matheson & Patricia C Matheson; )  
Frank L Taylor Jr & Deborah Kay Taylor; )  
Francis E Devince & Diane Z Devince; )  
Francis A Goad & Cynthia M Goad; Donald )  
R Fishback & Denise B Fishback; Dimitrios )  
Hryzikos & Maria D Hryzikos; Dileep S )  
Karmarkar & Sushama D Karmarkar; )  
Dennis M Boyd & Patricia J Boyd; Daniel W )  
Simmons & Patricia M Simmons; Daniel W )  
Pizzullo & Thelma D Pizzullo; Charles A )  
Mckenzie & Leslie B Mckenzie; Robert )  
Alger & Lynne Alger; Ronnie Allison & )  
Shelba Allison Geddis; Ebtissam M Ammar; )  
Dennis R Anderson Revocable Trust; )  
Howard L Armistead Jr Revocable Trust; )  
Bachner Living Trust; Jane S Baker; Gerald )  
Baron & Stephanie Baron; Mark Barth; )  
Marjory P Benson; William B Biddington; )  
Carol M. Biddington; Patrick F Blois; )  
Roderick C Broadway & Latonia Broadway; )  
Mary Jo Ray Bryan Revocable Trust; & )  
George Norman Bryan Jr Revocable Trust; )  
Helen H Bryngelson Revocable Trust; )  
William W Bunch III; George Edward Butler )  
& Krista Mullins Butler; Greg L Callaway & )  
William L Callaway; Bobby Clark Chatham; )  
Curtis R. Britton, Jr & Kimberly M Britton; )  
June R Clarke & Victor G. Clarke; Teresa G )  
Cockerham; Greg Combs & Mary Alice )  
Combs; Michael M Conley & Sylvia B. )  
Conley; Robert E Dicks Jr; Teresa Jane )  
Dodd; TPE Revocable Trust; John D Fisher )  
Jr; Sherry L. Fisher; John R Fisher III Trust; )  
Frizzell Living Trust; Brenda A Garrett & )  
Samuel D. Garrett; Winnie B Gee; Julia Gee )  
Muldrow; Adam R Geiss & Courtney E. )  
Geiss; Gregory S Gianuzzi & Sharon B. )  
Gianuzzi; James C Gordon; Vivian Graf & )  
Rosaly Graf; Phillip A Hedrick; Karen L. )  
Hedrick; Howard A Hedrick; Rebekah J. )  
Hedrick; William H Herbert; James Michael )  
Hopkins Sr; Jean H. Crocker; Randall K )  
Horn; Jamie Sue Robinette; Angela S. Jones; )  
Robert D Jones II; Matin M Khan & Marlene )  
R. Khan; John C Largent Declaration of )



Trust; Thomas J Leonti Jr & Lynn Leonti; )  
Tina Logan & Brendan Logan; Douglas E )  
Macdonald & Elsa B. Macdonald; Brian K )  
Macken & Jacqueline F. Macken; Terri S )  
Madigan; Richard E Daum; Robert R Mager )  
& Wendy S Mager; Barbara S Lang; Mary )  
Alice Maier; Donald R Maxfield; Thomas P )  
Mccartney; Devoe-McLean Family )  
Revocable Living Trust; Michael D )  
Mercadante & Denise Castellucci )  
Mercadante; Brigitte Morgan & Samuel G )  
Morgan; Patrick Murray & Melonie Murray; )  
Mitchell S Needle & Lisa A Needle; Kristie )  
Nystedt & Patrik Nystedt; Craig Peddicord )  
& Keith Peddicord; Antionette Pedicone; )  
George R Perkins Jr; Donna A Phipps; )  
Pituch Barnes Revocable Trust; Michele A )  
Polcer; David L Query; Lawrence E Radler; )  
Jeffrey D Rhodes; Linda S Rhodes; Bryan J )  
Robie; Penny Lee White Robie; John D )  
Rose; William M Rudolph; Christine A )  
Rudolph; Tammy Leigh Ryan; Ronald Scott; )  
Joseph C Rynn; Rosemary L Rynn; David R )  
Saggiomo; Maria Saggiomo; Michael A )  
Scarfia; Jean M Scarfia; Rick A Schirmer; )  
Helen M Schirmer; Michael T Sheehan; )  
David Sherman; Diana L Creamer; Elaine S )  
Shirley; Cole Shorter; Jamie Shorter; Arthur )  
F Steingraber; Kathleen M Steingraber; )  
Linda A Storch; Stuart J Strickland Sr; )  
Catherine N Strickland; Robert Sturey; Mary )  
Ann Sturey; Timothy Summers; Kelli )  
Summers; Kevin Bahr; Christy Bahr; Thode )  
Family Trust; Todd B Thorp; Deirdre )  
Gallahue Thorp; Barry H Traub Living )  
Trust; Jonathan W Tucker; Courtney M. )  
Tucker; )  
) )  
Defendants. )

**TO: THE ABOVE-NAMED PLAINTIFF AND ITS RESPECTIVE ATTORNEYS**

Pursuant to Rule 34 of the South Carolina Rules of Civil Procedure, Defendants Walter P. Rawl & Sons Inc; Archibald Oil & Gas Operations Inc; J & M Smith Enterprises LLC; 705 South

Hampton LLC; EMK Pennsylvania LLC; Jaybird LLC; JJVIV LLC; JTV Properties LLC; Kingston Partners 505 LLC; Kingston Properties V; Komax Properties LLC; Lyke Properties LLC; MACJ LLC; MBMB Properties LLC; Mcshurley Enterprises LLC; MHK Properties, LLC; Ocean507 LLC; Ohio River Aggregate Inc; South Hampton 606 LLC; South Hampton Properties LLC; Earl W. & Evelyn H. Spangler Family Limited Partnership; Under The Boardwalk LLC; William A Long & Susan B Long; Timothy L Wright & Lisa J Wright; Thomas N Braun & Catherine A. Braun; Shawn R Dixon & Cary J Dixon; Richard I Letvak & Susan A Letvak; Ralph H Ashworth & Daphne A Ashworth; Peter R Leinenweber & Deborah S Leinenweber; Norman P Mccarter & Gayle G Mccarter; Michael J Radler & Judith M Radler; Melvyn R Berman & Anita Berman; Leonard M Gatti Revocable Trust; Kathrine E Radler & Lawrence E Radler; Jan R Niezing & Ursula F Niezing; Jack L Miller Jr & Jack L Miller III; Jack F Wright Jr & Barbara F Wright; Jack D Cox & Velda W Cox; Ira M Keen & Wanda K Keen; Hugh F Madden & Beverly K Madden; Henry P Gosiene & Joan F Gosiene; Harold C Dufour & Jennifer Q Dufour; G V Reddy & Prema Reddy; Frederick Talip & Analyn M Talip; Fred D Matheson & Patricia C Matheson; Frank L Taylor Jr & Deborah Kay Taylor; Francis E Devince & Diane Z Devince; Francis A Goad & Cynthia M Goad; Donald R Fishback & Denise B Fishback; Dimitrios Hrysikos & Maria D Hrysikos; Dileep S Karmarkar & Sushama D Karmarkar; Dennis M Boyd & Patricia J Boyd; Daniel W Simmons & Patricia M Simmons; Daniel W Pizzullo & Thelma D Pizzullo; Charles A Mckenzie & Leslie B Mckenzie; Robert Alger & Lynne Alger; Ronnie Allison & Shelba Allison Geddis; Ebtissam M Ammar; Dennis R Anderson Revocable Trust; Howard L Armistead Jr Revocable Trust; Bachner Living Trust; Jane S Baker; Gerald Baron & Stephanie Baron; Mark Barth; Marjory P Benson; William B Biddington; Carol M. Biddington; Patrick F Blois; Roderick C Broadway & Latonia Broadway; Mary Jo Ray Bryan Revocable Trust; & George Norman Bryan



Jr Revocable Trust; Helen H Bryngelson Revocable Trust; William W Bunch III; George Edward Butler & Krista Mullins Butler; Greg L Callaway & William L Callaway; Bobby Clark Chatham; Curtis R. Britton, Jr & Kimberly M Britton; June R Clarke & Victor G. Clarke; Teresa G Cockerham; Greg Combs & Mary Alice Combs; Michael M Conley & Sylvia B. Conley; Robert E Dicks Jr; Teresa Jane Dodd; TPE Revocable Trust; John D Fisher Jr; Sherry L. Fisher; John R Fisher III Trust; Frizzell Living Trust; Brenda A Garrett & Samuel D. Garrett; Winnie B Gee; Julia Gee Muldrow; Adam R Geiss & Courtney E. Geiss; Gregory S Gianuzzi & Sharon B. Gianuzzi; James C Gordon; Vivian Graf & Rosaly Graf; Phillip A Hedrick; Karen L. Hedrick; Howard A Hedrick; Rebekah J. Hedrick; William H Herbert; James Michael Hopkins Sr; Jean H. Crocker; Randall K Horn; Jamie Sue Robinette; Angela S. Jones; Robert D Jones II; Martin M Khan & Marlene R. Khan; John C Largent Declaration of Trust; Thomas J Leonti Jr & Lynn Leonti; Tina Logan & Brendan Logan; Douglas E Macdonald & Elsa B. Macdonald; Brian K Macken & Jacqueline F. Macken; Terri S Madigan; Richard E Daum; Robert R Mager & Wendy S Mager; Barbara S Lang; Mary Alice Maier; Donald R Maxfield; Thomas P McCartney; Devoe-McLean Family Revocable Living Trust; Michael D Mercadante & Denise Castellucci Mercadante; Brigitte Morgan & Samuel G Morgan; Patrick Murray & Melonie Murray; Mitchell S Needle & Lisa A Needle; Kristie Nystedt & Patrik Nystedt; Craig Peddicord & Keith Peddicord; Antionette Pedicone; George R Perkins Jr; Donna A Phipps; Pituch Barnes Revocable Trust; Michele A Polcer; David L Query; Lawrence E Radler; Jeffrey D Rhodes; Linda S Rhodes; Bryan J Robie; Penny Lee White Robie; John D Rose; William M Rudolph; Christine A Rudolph; Tammy Leigh Ryan; Ronald Scott; Joseph C Rynn; Rosemary L Rynn; David R Saggiomo; Maria Saggiomo; Michael A Scarfia; Jean M Scarfia; Rick A Schirmer; Helen M Schirmer; Michael T Sheehan; David Sherman; Diana L Creamer; Elaine S Shirley; Cole Shorter; Jamie Shorter; Arthur F



Steingraber; Kathleen M Steingraber; Linda A Storch; Stuart J Strickland Sr; Catherine N Strickland; Robert Sturey; Mary Ann Sturey; Timothy Summers; Kelli Summers; Kevin Bahr; Christy Bahr; Thode Family Trust; Todd B Thorp; Deirdre Gallahue Thorp; Barry H Traub Living Trust; Jonathan W Tucker; and Courtney M. Tucker (collectively referred to herein as the "Defendant Unit Owners ") by and through its undersigned counsel, hereby serve upon counsel for Plaintiff Structural Waterproofing, LLC (hereinafter "Plaintiff"), by and through their undersigned counsel, hereby requests Plaintiff to produce and permit the Defendant Unit Owners to inspect and copy each of the documents described below.

### INSTRUCTIONS

- A. As used in these request, the term 'Documents' means any written, printed, recorded, typed or graphic matter, however produced or reproduced, including all non-identical copies thereof and further includes but is not limited to any books, ledgers, pamphlets, periodicals, brochures, letters, memoranda, advertisements, proposals, telegrams, reports, telephone logs, drafts, business records, handwritten notes, bills, checks, invoices, tapes, transcripts, photographs, and other data compilations from which information can be obtained, which are in the possession, custody or control of the Plaintiff or their attorney.
- B. All information is to be divulged which is in the possession of the individual or corporate party, your attorney, investigators, agents, employees or other representatives of the named party.
- C. Where the terms "incident" or "the incident" are used, they are meant to mean the incident which is the basis of this lawsuit, unless otherwise specified.
- D. These Requests for Production are intended as continuing requests, requiring you to answer by supplemental production, setting forth any information within the scope of the requests as may be required by you, your agents, attorneys, or representatives following your original answers.
- E. The documents described below shall be produced in the offices of the undersigned counsel for the Defendant Unit Owners between the hours of 8:30 a.m. and 5:00 p.m. during a weekday (Monday through Friday) within thirty (30) days after the service hereof. The copying of the documents produced will be at the Plaintiff's expense.

## DEFINITIONS

- A. The terms “and” and “or” as used herein are both conjunctive and disjunctive.
- B. The term “document” is use in the widest possible sense and includes, and is not limited to, correspondence, diagrams, data processing, storage units, photographs, tapes, invoices, contracts, receipts, bills, orders, notes, and other written communications, plus all other items identified as documents in Rule 34 of the South Carolina Rules of Civil Procedure. This request seeks production of all original documents of any nature whatsoever and all non-identical copies of them in the possession, custody, or control of Plaintiff or their attorney, plus identification of any other documents of which Plaintiff or their attorney has knowledge. In all cases where an original is unavailable, “document” may also mean a copy.
- C. The term “communication” and “communications” means all meetings, interviews, conversations, conferences, discussions, correspondence, messages, telegrams, telefaxes, electronic mail, mailgrams, telephone conversations, and all oral, written, and electronic expressions or other occurrences, whereby thoughts, opinions, information or data is transmitted between two or more persons.
- D. The term “including: shall mean “including, but not limited to.”
- E. The term “Plaintiff” refers to Structural Waterproofing, LLC.
- F. The term “Project” means construction of the property known as South Hampton at Kingston Plantation in Myrtle Beach, South Carolina.
- G. The term “Property” means South Hampton at Kingston Plantation in Myrtle Beach, South Carolina, which is the subject of this litigation.
- H. The terms “refer to” or “relate to” shall mean mentioning, comprising, constituting, indicating, describing, reflecting, evidencing, regarding, pertaining to, showing, discussing,

connected with, memorizing or involving in any way whatsoever the subject matter of the request, including having a legal, factual, or logical connection, relationship, correlation, or association with the subject matter of the request. A document or communication may “refer to” or “relate to” an individual or entity without specially mentioning or discussing said individual or entity by name.

- I. The singular includes the plural and vice versa.

### **REQUESTS FOR PRODUCTION TO PLAINTIFF**

1. Any and all statements, transcriptions or other similar materials, including interpretations thereof, made by any parties, witnesses or other persons, in whatever form, in any way related to or supporting or documenting the allegations contained in your Complaint.

2. Any and all memoranda, reports or other similar materials which in any way might relate to the Complaint herein which are within the possession of the Plaintiff or their attorney, whether written, recorded, or otherwise.

3. Any and all exhibits which the Plaintiff intends to introduce upon the trial of the case or to be used in support of the allegations contained in the Complaint, to include but not limited to negatives of all photographs, writings, drawings, graphs, charts, phonorecords, or other data compilations, from which information can be obtained or translated, in reasonably usable form.

4. With regard to any expert witnesses identified in Plaintiff’s Answers to the Defendant Unit Owners’ Interrogatories, please provide the following:

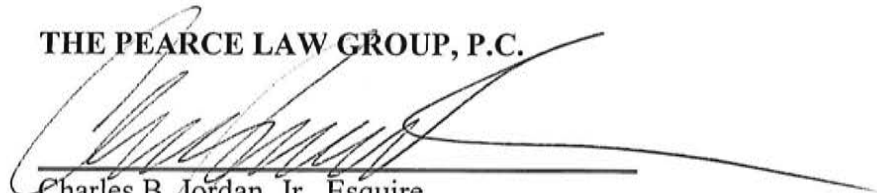
- a. All documents prepared by the expert;
- b. All documents sent to the expert by Plaintiff and/or Plaintiff’s counsel;
- c. All documents relied upon by the expert;
- d. All documents used, consulted, or reviewed by the expert;



- e. All documents setting forth the compensation agreement between Plaintiff and the expert;
  - f. All documents used, relied upon, consulted, or reviewed by the expert in answering Interrogatories;
  - g. All documents that have been or will be shown to the expert prior to trial testimony; and
  - h. All documents, including a current curriculum vitae, used to establish the expert's qualifications for trial purposes.
5. A copy of Plaintiff's entire construction file for the Project.
6. Any and all evidence of service of the Mechanic's Lien upon the Defendant Unit Owners.
7. Any and all correspondence with the Defendant Unit Owners including but not limited to written, telephonic, or electronic communication.
8. Any and all documents of any type or kind whatsoever identified or relied upon in your Answers to Defendant Unit Owners' Interrogatories.

**THE PEARCE LAW GROUP, P.C.**

By:



Charles B. Jordan, Jr., Esquire  
S.C. Bar No.: 11708  
E-mail: cjordan@pearcelawgroup.com  
Hala Sadek, Esquire  
S.C. Bar No.: 104006  
E-mail: hsadek@pearcelawgroup.com  
1314 Professional Drive  
Myrtle Beach, South Carolina 29577  
Telephone: (843) 839-3210  
Facsimile: (843) 839-3214

*ATTORNEYS FOR DEFENDANT UNIT OWNERS*

Dated: December 3, 2020  
Myrtle Beach, South Carolina

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
Case No.: 2020-CP-26-04842

Structural Waterproofing, LLC, )  
 )  
Plaintiff, )

v. )

)  
Tribune Holdings, LLC; South Hampton )  
Property Owners Association, Inc.; Walter )  
P. Rawl & Sons Inc; Archibald Oil & Gas )  
Operations Inc; J & M Smith Enterprises )  
LLC; 705 South Hampton LLC; EMK )  
Pennsylvania LLC; Jaybird LLC; JJVIV )  
LLC; JTV Properties LLC; Kingston )  
Partners 505 LLC; Kingston Plantation )  
Master Association, Inc.; Kingston )  
Properties V; Komax Properties LLC; Lyke )  
Properties LLC; MACJ LLC; MBMB )  
Properties LLC; Mcshurley Enterprises )  
LLC; MHK Properties, LLC; Ocean507 )  
LLC; Ohio River Aggregate Inc; South )  
Hampton 606 LLC; South Hampton )  
Properties LLC; Earl W. & Evelyn H. )  
Spangler Family Limited Partnership; Under )  
The Boardwalk LLC; William A Long & )  
Susan B Long; Timothy L Wright & Lisa J )  
Wright; Thomas N Braun & Catherine A. )  
Braun; Shawn R Dixon & Cary J Dixon; )  
Richard I Letvak & Susan A Letvak; Ralph )  
H Ashworth & Daphne A Ashworth; Peter R )  
Leinenweber & Deborah S Leinenweber; )  
Norman P Mccarter & Gayle G Mccarter; )  
Michael J Radler & Judith M Radler; )  
Melvyn R Berman & Anita Berman; )  
Leonard M Gatti Revocable Trust; Kathrine )  
E Radler & Lawrence E Radler; Jan R )  
Niezing & Ursula F Niezing; Jack L Miller )  
Jr & Jack L Miller III; Jack F Wright Jr & )  
Barbara F Wright; Jack D Cox & Velda W )  
Cox; Ira M Keen & Wanda K Keen; Hugh F )  
Madden & Beverly K Madden; Henry P )  
Gosiene & Joan F Gosiene; Harold C Dufour )  
& Jennifer Q Dufour; G V Reddy & Prema )

**CERTIFICATE OF SERVICE**

Reddy; Frederick Talip & Analyn M Talip; )  
Fred D Matheson & Patricia C Matheson; )  
Frank L Taylor Jr & Deborah Kay Taylor; )  
Francis E Devince & Diane Z Devince; )  
Francis A Goad & Cynthia M Goad; Donald )  
R Fishback & Denise B Fishback; Dimitrios )  
Hryzikos & Maria D Hryzikos; Dileep S )  
Karmarkar & Sushama D Karmarkar; )  
Dennis M Boyd & Patricia J Boyd; Daniel W )  
Simmons & Patricia M Simmons; Daniel W )  
Pizzullo & Thelma D Pizzullo; Charles A )  
Mckenzie & Leslie B Mckenzie; Robert )  
Alger & Lynne Alger; Ronnie Allison & )  
Shelba Allison Geddis; Ebtissam M Ammar; )  
Dennis R Anderson Revocable Trust; )  
Howard L Armistead Jr Revocable Trust; )  
Bachner Living Trust; Jane S Baker; Gerald )  
Baron & Stephanie Baron; Mark Barth; )  
Marjory P Benson; William B Biddington; )  
Carol M. Biddington; Patrick F Blois; )  
Roderick C Broadway & Latonia Broadway; )  
Mary Jo Ray Bryan Revocable Trust; & )  
George Norman Bryan Jr Revocable Trust; )  
Helen H Bryngelson Revocable Trust; )  
William W Bunch III; George Edward Butler )  
& Krista Mullins Butler; Greg L Callaway & )  
William L Callaway; Bobby Clark Chatham; )  
Curtis R. Britton, Jr & Kimberly M Britton; )  
June R Clarke & Victor G. Clarke; Teresa G )  
Cockerham; Greg Combs & Mary Alice )  
Combs; Michael M Conley & Sylvia B. )  
Conley; Robert E Dicks Jr; Teresa Jane )  
Dodd; TPE Revocable Trust; John D Fisher )  
Jr; Sherry L. Fisher; John R Fisher III Trust; )  
Frizzell Living Trust; Brenda A Garrett & )  
Samuel D. Garrett; Winnie B Gee; Julia Gee )  
Muldrow; Adam R Geiss & Courtney E. )  
Geiss; Gregory S Gianuzzi & Sharon B. )  
Gianuzzi; James C Gordon; Vivian Graf & )  
Rosaly Graf; Phillip A Hedrick; Karen L. )  
Hedrick; Howard A Hedrick; Rebekah J. )  
Hedrick; William H Herbert; James Michael )  
Hopkins Sr; Jean H. Crocker; Randall K )  
Horn; Jamie Sue Robinette; Angela S. Jones; )  
Robert D Jones II; Matin M Khan & Marlene )  
R. Khan; John C Largent Declaration of )



Trust; Thomas J Leonti Jr & Lynn Leonti; )  
Tina Logan & Brendan Logan; Douglas E )  
Macdonald & Elsa B. Macdonald; Brian K )  
Macken & Jacqueline F. Macken; Terri S )  
Madigan; Richard E Daum; Robert R Mager )  
& Wendy S Mager; Barbara S Lang; Mary )  
Alice Maier; Donald R Maxfield; Thomas P )  
Mccartney; Devoe-McLean Family )  
Revocable Living Trust; Michael D )  
Mercadante & Denise Castellucci )  
Mercadante; Brigitte Morgan & Samuel G )  
Morgan; Patrick Murray & Melonie Murray; )  
Mitchell S Needle & Lisa A Needle; Kristie )  
Nystedt & Patrik Nystedt; Craig Peddicord )  
& Keith Peddicord; Antionette Pedicone; )  
George R Perkins Jr; Donna A Phipps; )  
Pituch Barnes Revocable Trust; Michele A )  
Polcer; David L Query; Lawrence E Radler; )  
Jeffrey D Rhodes; Linda S Rhodes; Bryan J )  
Robie; Penny Lee White Robie; John D )  
Rose; William M Rudolph; Christine A )  
Rudolph; Tammy Leigh Ryan; Ronald Scott; )  
Joseph C Rynn; Rosemary L Rynn; David R )  
Saggiomo; Maria Saggiomo; Michael A )  
Scarfia; Jean M Scarfia; Rick A Schirmer; )  
Helen M Schirmer; Michael T Sheehan; )  
David Sherman; Diana L Creamer; Elaine S )  
Shirley; Cole Shorter; Jamie Shorter; Arthur )  
F Steingraber; Kathleen M Steingraber; )  
Linda A Storch; Stuart J Strickland Sr; )  
Catherine N Strickland; Robert Sturey; Mary )  
Ann Sturey; Timothy Summers; Kelli )  
Summers; Kevin Bahr; Christy Bahr; Thode )  
Family Trust; Todd B Thorp; Deirdre )  
Gallahue Thorp; Barry H Traub Living )  
Trust; Jonathan W Tucker; Courtney M. )  
Tucker; )

Defendants. )

I hereby certify that on this 3<sup>rd</sup> day of December, 2020, a copy of the below and foregoing documents have been mailed via first-class US mail and/or electronic mail communication to the following counsel of record for Plaintiff Structural Waterproofing, LLC, and Defendant Tribune Holdings, LLC as follows:

**DOCUMENTS:**

1. *Defendant Unit Owners' First Set of Interrogatories to Plaintiff Structural Waterproofing, LLC;*
2. *Defendant Unit Owners' First Set of Requests for Production to Plaintiff Structural Waterproofing, LLC;*
3. *Defendant Unit Owners' First Set of Interrogatories to Defendant Tribune Holdings, LLC; and*
4. *Defendant Unit Owners' First Set of Requests for Production to Defendant Tribune Holdings, LLC.*

**COUNSEL OF RECORD:**

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115 Market Street; Suite 221  
Durham, NC 27701

E-mail: caroline@oakcitylaw.com

*Attorney for Plaintiff Structural  
Waterproofing*

Nate Fata, Esquire

Nate Fata, P.A.

P.O. Box 16620

Surfside Beach, SC 29587

E-mail: nfata@fatalaw.com

*Attorney for Tribune Holdings, LLC*

**THE PEARCE LAW GROUP, P.C.**

By:



\_\_\_\_\_  
Allison Harding Rizzo  
Paralegal to Charles B. Jordan, Jr., Esquire  
1314 Professional Drive  
Myrtle Beach, SC 29577