

**STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE**

IN THE COURT OF COMMON PLEAS

Linhart Realty Group, LLC d/b/a RE/MAX
Results,

Plaintiff,

v.

Adam Matthew Steinberger,

Defendants.

Case No.: 2025-CP-23- 05006

**PLAINTIFF'S REPLY TO
DEFENDANT'S COUNTERCLAIMS**

The Plaintiff, Linhart Realty Group, LLC d/b/a RE/MAX Results, (hereinafter "Plaintiff"), hereby replies to the Counterclaim of Defendant Adam Matthew Steinberger (hereinafter "Defendant"), and would respectfully show unto the Court as follows:

FOR A FIRST DEFENSE

1. Plaintiff reaffirms and restates the allegations contained in its Complaint as if fully repeated verbatim herein.

FOR A SECOND DEFENSE

2. Each and every allegation not specifically admitted herein is denied. To the extent any allegation or part thereof is not expressly referred to and specifically answered, it is hereby denied, and strict proof thereof is demanded.

3. Plaintiff admits the allegations contained in Paragraph 1 as they relate to Defendant's ownership of the property at issue. As to the remaining allegations of Paragraph 1, Plaintiff is without sufficient information or knowledge to admit or deny and, therefore, denies the same and demands strict proof thereof.

4. Plaintiff denies the allegations contained in Paragraph 2 of Defendant's Counterclaim and demands strict proof thereof.

5. Plaintiff admits the allegations contained in Paragraph 3 of Defendants Counterclaim.

6. Plaintiff denies the allegations contained in Paragraph 4 of Defendant's Counterclaim and demands strict proof thereof.

7. Plaintiff denies the allegations contained in Paragraph 5 of Defendant's Counterclaim and demands strict proof thereof.

8. Plaintiff denies the allegations contained in Paragraph 6 of Defendant's Counterclaim and demands strict proof thereof.

9. Plaintiff denies the allegations contained in Paragraph 7 of Defendant's Counterclaim and demands strict proof thereof.

10. Plaintiff is without sufficient information or knowledge to admit or deny the allegations in Paragraph 8 of Defendant's Counterclaim and, therefore, denies the same and demands strict proof thereof.

11. Plaintiff denies the allegations contained in Paragraph(s) 9-13 of Defendant's Counterclaim and demands strict proof thereof.

12. Plaintiff is without sufficient information or knowledge to admit or deny the allegations in Paragraph 14 of Defendant's Counterclaim and, therefore, denies the same and demands strict proof thereof.

13. Plaintiff denies the allegations in Paragraph 15 of Defendant's Counterclaim and demands strict proof thereof.

14. No response is necessary from Plaintiff as to Paragraph 16 of Defendant's Counterclaim. To the extent that a response is required, Plaintiff denies the same in full and demands strict proof thereof.

15. Plaintiff denies the allegations contained in Paragraph(s) 17-22 of Defendant's Counterclaim and demands strict proof thereof.

16. No response is necessary from Plaintiff as to Paragraph 23 of Defendant's Counterclaim. To the extent that a response is required, Plaintiff denies the same in full and demands strict proof thereof.

17. Plaintiff denies the allegations contained in Paragraph(s) 24 – 26 of Defendant's Counterclaim and demands strict proof thereof.

18. No response is necessary from Plaintiff as to Paragraph 27 of Defendant's Counterclaim. To the extent that a response is required, Plaintiff denies the same in full and demands strict proof thereof.

19. Upon information and belief, Plaintiff admits the allegations contained in Paragraph 28 of Defendant's Counterclaim.

20. Plaintiff denies the allegations contained in Paragraph(s) 29 and 30 of Defendant's Counterclaim and demands strict proof thereof.

21. No response is necessary from Plaintiff as to Paragraph 31 of Defendant's Counterclaim. To the extent that a response is required, Plaintiff denies the same in full and demands strict proof thereof.

22. Plaintiff is without sufficient information or knowledge to admit or deny the allegations in Paragraph 32 of Defendant's Counterclaim and, therefore, deny the same and demand strict proof thereof.

23. Plaintiff denies the allegations contained in Paragraph(s) 33-35 of Defendant's Counterclaim and demands strict proof thereof.

24. Plaintiff denies the allegations and prayer(s) for relief found in the “WHEREFORE” section of Defendant’s Counterclaims, including all subparts, and demands strict proof thereof.

FOR A THIRD DEFENSE
(Failure to State a Claim or Cause of Action)

25. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

26. Plaintiff alleges that Defendant has failed to state facts sufficient to constitute one or more causes of action against Plaintiff, and the Court should dismiss Defendant’s claims with prejudice pursuant to Rule 12(b)(6) of the South Carolina Rules of Civil Procedure.

FOR A FOURTH DEFENSE
(Accord and Satisfaction)

27. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

28. Plaintiff alleges that Defendant’s allegations are barred under the theory of accord and satisfaction.

FOR A FIFTH DEFENSE
(Assumption of Risk)

29. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

30. Plaintiff alleges that Defendant assumed the risk of all damages of which it now complains.

FOR A SIXTH DEFENSE
(Contributory Negligence)

31. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

32. Plaintiff alleges that Defendants were guilty of contributory fault and negligence in the matters alleged in the Defendants' Answer and Counterclaims and that such contributory fault and negligence proximately caused damages complained of herein.

FOR A SEVENTH DEFENSE
(Damages Claimed Attributable to Others)

33. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

34. Plaintiff alleges that the damages suffered by Defendant, if any, were the result of the acts or omissions of other parties named and unnamed in this action, for which this answering Plaintiff bears no responsibility.

FOR AN EIGHTH DEFENSE
(Unclean Hands)

35. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

36. Plaintiff alleges that Defendant's claims are barred by the equitable doctrine of unclean hands.

FOR A NINTH DEFENSE
(Laches, Estoppel, and/or Waiver)

37. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

38. Plaintiff alleges that Defendant's claims are barred by the doctrines of laches, estoppel, and/or waiver.

FOR A TENTH DEFENSE
(Statute of Limitations)

39. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

40. Plaintiff alleges that Defendant's claims are barred by the applicable statute of limitations and, therefore, must be dismissed.

FOR AN ELEVENTH DEFENSE
(Standing)

41. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

42. Plaintiff alleges that Defendant's claims are barred for lack of standing.

FOR A TWELFTH DEFENSE
(No proximate cause for damages)

43. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

44. There is no proximate cause between the purported activities alleged in Defendants' Counterclaim and the damages claimed by Defendant cannot be maintained.

FOR A THIRTEENTH DEFENSE
(Failure to Mitigate)

45. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

46. Plaintiff alleges that Defendant's claims are barred due to Defendant's failure to mitigate its damages.

FOR A FOURTEENTH DEFENSE
(Intervening Factors and/or Acts)

47. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

48. Plaintiff alleges that Defendant's claims are barred by intervening factors and/or intervening acts and wrongdoing of parties other than Plaintiff, which were the actual and proximate cause of Defendant's alleged damages.

FOR A FIFTEENTH DEFENSE
(Defendant's Bad Faith)

49. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

50. Plaintiff alleges that Defendant's bad faith bars its claims or that any damages must be reduced as a result of Defendant's comparative bad faith.

FOR A SIXTEENTH DEFENSE
(Absence of Breach)

51. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

52. To the extent that Plaintiff owed any duty to Defendant, which Plaintiff denies, Plaintiff did not breach any such duty.

FOR A SEVENTEENTH DEFENSE
(Condonation and/or Consent)

53. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

54. Some or all of the Defendant's claims are barred by the absolute defense of condonation and consent, in that the actions of Plaintiff as alleged, if true, were consented to by Defendant.

FOR AN EIGHTEENTH DEFENSE
(Plaintiff's Good Faith)

55. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

56. Plaintiff would shot that any actions taken by Plaintiff and/or procedures followed by Plaintiff concerning the matters state herein were taken in good faith, in a reasonable manner, and that said actions and/or procedures were reasonable in time and manner, and that Defendant is

therefore precluded from recovery against Plaintiff under some or all of Defendant's theories of liability.

FOR A NINETEENTH DEFENSE
(Statute of Frauds)

57. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

58. Plaintiff alleges that Defendant's claims are barred by the Statute of Frauds.

FOR A TWENTIETH DEFENSE
(Setoff)

59. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

60. Any recovery by Defendant must be setoff or reduced, abated, or a portion to the extent that any other parties' actions caused or contributed to damages, if any.

FOR A TWENTY-FIRST DEFENSE
(Parol Evidence Rule)

61. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

62. Plaintiff alleges that Defendant's claims are barred by the Parol Evidence Rule.

FOR A TWENTY-SECOND DEFENSE
(Substantial Performance)

63. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

64. Plaintiff would show that it completely and/or substantially performed on the alleged contract(s) in question and, therefore, Defendant has no right to recover against Plaintiff.

FOR A TWENTY-THIRD DEFENSE
(Contributory Negligence)

65. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

66. Plaintiff alleges that Defendant is guilty of contributory fault and negligence in the matters alleged in Defendant's Counterclaim and that such contributory fault and negligence proximately caused damages complained of therein.

FOR A TWENTY-FOURTH DEFENSE
(Misrepresentation)

67. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

68. Plaintiff alleges that Defendant's claims are barred in whole or in part due to Defendant's misrepresentation(s).

FOR A TWENTY-FIFTH DEFENSE
(Right to Add Additional Affirmative Defenses)

69. Plaintiff incorporates herein by reference, and realleges, the allegations of the preceding paragraphs consistent herewith as if fully stated verbatim herein.

70. Plaintiff alleges that Defendant's claims are couched in conclusionary terms, Plaintiff cannot fully anticipate all affirmative defenses that may be applicable to the within action. Accordingly, the right to assert additional affirmative defenses, if and to the extent that such affirmative defenses are applicable, is hereby reserved.

WHEREFORE, the Plaintiff, Linhart Realty Group, LLC d/b/a RE/MAX Results, prays for the following relief:

1. That the Defendant's counterclaims set forth in his Answer, Affirmative Defenses and Counterclaim be dismissed in their entirety;
2. For an award of attorneys' fees, costs, and interest to Plaintiff;

3. For such other and further relief as Plaintiff is entitled pursuant to its Complaint; and/or
4. For an award of such other and further relief that this Court deems just and proper.

Respectfully submitted this Tuesday, December 9, 2025.

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

s/W. Christopher Schwartz

M. Stokely Holder (SC Bar #73892)

Raford W. Bussey (SC Bar #103943)

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