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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
South Carolina Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

2021-001050

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; 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; Charleston Exteriors, LLC; ECC Contracting, LLC; Hurley Services, LLC; McDaniel Construction Co., LLC; AC Construction Corp.; AC Construction, Inc.; L&G Construction Group, LLC; Liollo Architecture; JC Contractors, LLC; Soto & Vasquez Construction, LLC; Costa De Oliveira Construction, LLC; Solesmar Jesus De Oliveria; Wilson Lucas Sales d/b/a Miracle Siding; Miracle Siding, LLC; Royal Homes of SC, Inc.; Collen Batissa; Christopher Batissa; Norma Ferreira Bruno; Mendez Construction, LLC; Juan Garza Ramos, individually; Juan Garza Ramos d/b/a Juan Constructors; Jessica Marroquin, individually; Jessica Marroquin d/b/a Marroquin Construction; Carlos Marroquin, individually; Carlos Marroquin Construction; Carlos 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 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.

APPELLANT BUILDERS FIRSTSOURCE – SOUTHEAST GROUP, LLC’S
MOTION FOR EXTENSION OF TIME TO FILE INITIAL REPLY BRIEF,
PENDING RESOLUTION OF ITS MOTION FOR LEAVE TO EXCEED PAGE
LIMITATION

Appellant Builders FirstSource – Southeast Group, LLC respectfully submits this motion for an extension of time to file its initial reply brief in the above captioned appeal.

The within motion, made pursuant to the provisions of Rule 240, South Carolina Rules of Appellate Procedure, is premised upon those considerations set forth hereinafter.

By order of January 28, 2022, this Court confirmed its consolidation of the Appellant’s appeals from eight (8) separate orders of summary judgment, as issued by the trial court.

The Appellant filed its Initial Appellant Brief with this Court on February 28, 2022. Thereafter, seven (7)¹ separate briefs were filed on behalf of respective eight (8) Respondents. Because of the extraordinary circumstances posed by the scope and diversity of the Respondents’ arguments, the Appellant, by motion filed July 14, 2022, sought leave of this Court to exceed the 25-page limitation imposed, by Rule 208, on its reply brief. This Court has not yet ruled upon the referenced motion.

In order to assure compliance with this Court’s requirements concerning both page limitations and timely submission of its reply brief, Appellant, Builders FirstSource – Southeast Group, LLC respectfully requests that this Court extend the deadline for filing of its initial reply brief for a period of ten (10) days following this Courts disposition of the pending motion for leave to exceed the page limitation imposed by Rule 208.

SIGNATURE PAGE TO FOLLOW

¹ Respondent L&G Construction Group, LLC did not file its own brief, but joined in the brief of Respondent Hurley Services, LLC.

Respectfully submitted

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July 22, 2022

THE STATE OF SOUTH CAROLINA
South Carolina Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Honorable Jennifer B. McCoy, Circuit Court Judge

2021-001050

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; 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; Charleston Exteriors, LLC; ECC Contracting, LLC; Hurley Services, LLC; McDaniel Construction Co., LLC; AC Construction Corp.; AC Construction, Inc.; L&G Construction Group, LLC; Liollo Architecture; JC Contractors, LLC; Soto & Vasquez Construction, LLC; Costa De Oliveira Construction, LLC; Solesmar Jesus De Oliveria; Wilson Lucas Sales d/b/a Miracle Siding; Miracle Siding, LLC; Royal Homes of SC, Inc.; Collen Batissa; Christopher Batissa; Norma Ferreira Bruno; Mendez Construction, LLC; Juan Garza Ramos, individually; Juan Garza Ramos d/b/a Juan Constructors; Jessica Marroquin, individually; Jessica Marroquin d/b/a Marroquin Construction; Carlos Marroquin, individually; Carlos Marroquin Construction; Carlos and Jessica Marroquin d/b/a Marroquin Construction; Feliciano Cruz Silva; Garcia Roofing, LLC; Givair De Caris; and Mario Salgado; Defendants,

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that they have served “**Builders FirstSource – Southeast Group, LLC’s Motion For Extension Of Time To File Initial Reply Brief, Pending Resolution Of Its Motion For Leave To Exceed Page Limitation**” upon all counsel of record via electronic mail only to counsel’ last known email address on this 14th day of July, 2022.

Respectfully submitted,

HOWELL, GIBSON & HUGHES, P.A.

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July 22, 2022