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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Judge

Appellate Case No. 2021-000471

Bull Point Plantation Property Owners Association, Inc.....Respondent

v.

Bull Point SC, LLC, Bull Point, LLC, Bull Point Plantation
Owners Association, Inc., William E. Gavigan, Michael Carey,
Christopher J. Quick, James Riordan, Richard Riney Appellants

BULL POINT PLANTATION PROPERTY OWNERS ASSOCIATION, INC.'S
MOTION TO FILE FINAL BRIEF OF RESPONDENT OUT OF TIME

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BULL POINT PLANTATION PROPERTY OWNERS ASSOCIATION, INC.'S
MOTION TO FILE FINAL BRIEF OF RESPONDENT OUT OF TIME

AND NOW COMES Respondent Bull Point Plantation Property Owners Association, Inc., by and through its undersigned counsel, and files the following Motion to File Respondent's Final Brief out of time:

1. Respondent has filed its Initial Brief of Respondent in this matter, but has not yet filed its Final Brief of Respondent.

2. On or about December 21, 2021, the parties to this appeal (and to other disputes) agreed to settle their disputes at mediation.

3. As a result of the settlement, the parties all expected that their issues would be resolved prior to Final Briefs coming due.

4. Respondent anticipated that this appeal would have previously been dismissed as a result of the settlement.

5. However, several issues remain pending between the parties that they are working on resolving in order to finalize the settlement.

6. Therefore, Respondent requests that the Court grant it the right to file its Final Brief of Respondent out of time.

7. Counsel for Appellants has graciously consented to the filing of the Final Brief of Respondent out of time. Appellants' Final Brief was also filed out of time with the permission of the Court (and the consent of Respondent).

8. For the foregoing reasons, Respondent respectfully moves the Court for an order permitting it to its Final Brief of Respondent out of time and accepting the enclosed Final Brief of Respondent as filed.

September 1, 2022

BARNWELL WHALEY PATTERSON &
HELMS, LLC

By: 

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Property Owners Association, Inc.***

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RESPONDENT BULL POINT PLANTATION PROPERTY OWNERS ASSOCIATION,
INC.'S PROOF OF SERVICE OF MOTION TO FILE FINAL BRIEF OF RESPONDENT
OUT OF TIME

I certify that I have served the Motion to File Final Brief of Respondent Out of Time on the above-referenced Appellants by email and by depositing a copy of it in the United States Mail, postage prepaid, on September 1, 2022 addressed to their attorneys of record:

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September 1, 2022

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