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Nov 30 2022

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM OCONEE COUNTY

Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Civil Action No.: 2009-CP-37-0652

Appellate Case No. 2022-001581

Paul W. Hund, III, Joan W. Davenport, Michael Furnari, Donna Furnari, Jessy B. Grasso, Nancy E. Grasso, Robert P. Hayes, Lucy H. Hayes, Ty Hix, Jennifer D. Hix, Ruth E. Isaac, Michael D. Plourde, Mary Lou Plourde, Carol C. Pope, Steven B. Taylor, Bette J. Taylor, Robert White, Stoneledge at Lake Keowee Owners' Association, Inc., Respondents

v.

IMK Development Co., LLC, Marick Home Builders, LLC, and Rick Thoennes, Defendants,

Of whom Marick Home Builders, LLC and Rick Thoennes are Appellants.

MOTION FOR EXTENSION

Appellants Marick Home Builders, LLC, and Rick Thoennes, pursuant to Rule 240, SCACR, move this Honorable Court for a thirty (30) day extension of the deadline for filing its Initial Brief and Designation of Matter for Record. Presently, the deadline for Appellants' initial brief is December 8, 2022. Due to work-related and other time commitments, Appellants respectfully request that this deadline be extended by thirty (30) days. Respectfully, Appellants believe that this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondents.

WHEREFORE, Appellants move this Honorable Court to grant them an additional extension of thirty (30) days' time to file/serve its Initial Brief and Designation of Matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving its Initial Brief and Designation of Matter for Record would be January 9, 2023, according to the undersigned's calculations. Further, Appellants' Counsel consulted with counsel for the Respondents regarding this motion, and Respondents' Counsel has consented to the relief requested in this Motion.

Respectfully submitted,

By: *s/ Stacey P. Canaday*

Stacey P. Canaday (SC Bar No. 68805)

Erin D. Dean (SC Bar No. 65320)

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Attorneys for Appellants Marick Home Builders, LLC and Rick Thoennes

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v.

IMK Development Co., LLC, Marick Home Builders, LLC, and Rick Thoennes, Defendants,

Of whom Marick Home Builders, LLC and Rick Thoennes are Appellants.

PROOF OF SERVICE

The undersigned, Stacey P. Canaday of Tupper Grimsley Dean & Canaday, PA, Attorney for Appellants *Marick Home Builders, LLC, and Rick Thoennes*, hereby avers that on the 30th day of November 2022, a true and accurate copy of this **Motion for Extension** was served via electronic mail using the email addresses listed in the Attorney Information System as follows:

Mr. Robert T. Lyles, Jr.
Lyles & Associates, LLC
1037 Chuck Dawley Blvd.
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Attorney for Paul W Hund, III, Joan W Davenport, Michael Furnari, Donna Furnari, Jessy B Grasso, Nancy E Grasso, Robert P Hayes, Lucy H Hayes, Ty Hix, Jennifer D Hix, Ruth E Isaac,

Michael D Plourde, Mary Lou Plourde, Carol C Pope, Steven B Taylor, Bette J Taylor, Robert White, Stoneledge at Lake Keowee Owners' Association, Inc.

By: *s/ Stacey P. Canaday*

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***Attorney for Appellants Marick Home Builders, LLC and
Rick Thoennes***

November 30, 2022

Beaufort, South Carolina



TUPPER, GRIMSLEY, DEAN & CANADAY

ATTORNEYS AT LAW

November 30, 2022

VIA EMAIL and US MAIL

J. Abbot Kitchings
S.C. Court of Appeals Clerk of Court
PO Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

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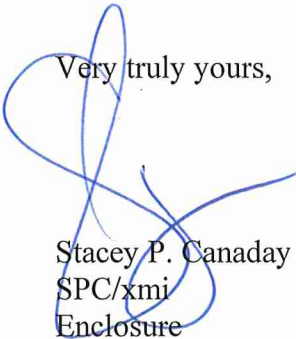
RE: Stoneledge at Lake Keowee Owners' Association, Inc., et al. vs. Marick Home Builders, LLC, et al.
Civil Action No.: 2009-CP-37-0652
Our File No.: 600.1382

Dear Ms. Kitchings:

Please find enclosed for filing our Motion for Extension of Time and Proof of Service, regarding the above-referenced matter. Also enclosed is our firm's check in the amount of \$50.00 to cover the requisite filing fee.

Should you have any questions, please feel free to contact me. If I am unavailable, please ask to speak with my paralegal, Xiomara Ingram.

Very truly yours,


Stacey P. Canaday
SPC/xmi
Enclosure

cc: All Counsel of Record (via email only)