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Jan 19 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No.: 2018-CP-07-00911
Appellate Case No.: 2022-000016

Richard W. and Rebecca A. Drier; Sarmed and Jessica M. Shafi; *et al.*,

Plaintiffs,

v.

Advanced Flooring & Design Division of ISI, LLC f/k/a Advanced Flooring and Design;
LLC, D.R. Horton, Inc.; East Coast Construction Cleanup Corp. f/k/a S. C. Cleanup Co.,
Inc.; Hutton's Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.; *et al.*,

Defendants,

And

D. R. Horton, Inc.,

Appellant,

v.

Sarmed and Jessica M. Shafi, East Coast Construction Cleanup Corp. f/k/a S. C. Cleanup Co.,
Inc.; Hutton's Landscapes, Inc., and Lather Construction, Inc.,

Respondents.

**LATHER CONSTRUCTION, INC.'S MOTION FOR EXTENSION TO FILE
AND SERVE A REPLY TO DR HORTON, INC.'S INITIAL BRIEF**

Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, Respondents Lather Construction, Inc. (hereinafter referred to as “Lather”) hereby moves for an extension of time of twenty (20) days to file and serve its reply to D.R. Horton, Inc.’s Initial Brief. To date, Lather has not requested an extension of time. Lather files this motion seeking an extension due to extra time needed to review transcripts, with only part of the trial transcript was originally supplied to Lather. Appellant’s counsel has graciously consented to this request.

Respectfully submitted,

/s Scott H. Winograd

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January 19, 2023

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Inc.; Hutton's Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.; *et al.*,

Defendants,

And

D. R. Horton, Inc.,

Appellant,

v.

East Coast Construction Cleanup Corp. f/k/a S. C. Cleanup Co. Inc.; Hutton's Landscapes, Inc.;
and Lather Construction, Inc.,

Respondents.

Proof of Service

I certify that I have served **Lather Construction, Inc.'s Motion for Extension to File and Serve Reply to D.R. Horton's Initial Brief**, by personally serving the same pursuant to Rule 262 (c)(3), SCACR, and S.C. Supreme Ct. Order dated August 25, 2021 on the following counsel of record using the primary email address listed in the Attorney Information System (if applicable):

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***Attorney for Respondent East Coast
Construction Cleanup Corp.
f/k/a S. C. Cleanup Co., Inc***

A copy of the sent email is enclosed with this Certificate of Service.

s/ Scott H. Winograd

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***Attorneys for Lather Construction, Inc. and Lather
Construction SC, Inc.***

Mt. Pleasant, South Carolina

January 19, 2023.

From: [Scott Winograd](#)
To: [Jason Imhoff](#); [Crawford@conlaw.com](#); [Tom Dudley](#); [carl@carlmullerlaw.com](#); [Emily Gifford Lucey](#); [Megan White](#); [Carmen Ganjehsani](#); [Ben@bentraywicklaw.com](#); [Ali@bentraywicklaw.com](#); [Tyler E. Cloud, Esquire](#)
Cc: [Bobbi Myers](#); [Shaun Hatch](#); [Daniel Hutchinson](#)
Subject: Shafi/Drier v. DR Horton, Inc., et al. (Appellate Case No. 2022-000016)
Date: Thursday, January 19, 2023 4:17:30 PM
Attachments: [2023.01.19 Lather Motion for Extension.pdf](#)

Counselors,

Attached please find served upon you today in compliance with the Supreme Court's Order dated May 6, 2022, Respondent Lather Construction, Inc.'s Motion for Extension to file and Serve its Reply to DR Horton, Inc.'s Initial Brief in the above-referenced matter which we will be filing with the South Carolina Court of Appeals today.

Please let me know if you have any questions.

Scott Winograd

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Admitted in SC, NC, & OH

Please note our email address change – our entire firm will now be “first initial, last name @rclawsc.com”

Please note our firm address change

Please note our firm is paperless – please request hard copies if desired

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ROSS & CRISTALDI^{LLC}
ATTORNEYS AT LAW

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January 19, 2023

VIA E-MAIL (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Richard W. and Rebecca A. Drier; Sarmed and Jessica M. Shafi; *et al.*, v. DR Horton, Inc., et al.
Appellate Case No.: 2022-000016

Dear Ms. Kitchings:

Enclosed please Respondent Lather Construction, Inc.'s Motion for Extension to File and Serve Reply to D.R. Horton, Inc.'s Initial Brief, and Certificate of Service for filing. I have also enclosed our firm's check in the amount of \$50.00 for the filing fee.

Thank you very much for your attention to the above.

Very truly yours,



Scott H. Winograd

SHW/bm

Enclosures

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