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Jun 28 2023

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Hon. Bentley D. Price, Circuit Court Judge

APPELLATE CASE NO. 2022-001719

Margaret A. Eberly and Barbara J. Pavelik,
Plaintiffs

v.

Advanced Flooring & Design Division of ISI, LLC; Archer Exteriors, Inc.; Crossroads Enterprises, LLC; D.R. Horton, Inc.; East Coast Construction Cleanup Corp.; Hutton's Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.; Professional Drywall & Paint Services, LLC; Professional Exteriors II, LLC; and Valim Construction, LLC, Defendants,

of which D. R. Horton, Inc. is the Petitioner,

And

Hutton's Landscapes, Inc.; Lather Construction SC, Inc.; Lather Construction, Inc.,
are the Respondents.

MOTION TO EXTEND TIME

The undersigned counsel for the Petitioner hereby moves to extend the time for him to serve and file his brief and appendix with the South Carolina Supreme Court for the reason that until late yesterday afternoon he was unaware that his Petition for Writ of Certiorari had been granted. The May 23, 2023 Order granting the Petition arrived via email at his office after he had left on vacation with his wife for Boston and Maine to attend his 50th college reunion and visit their son and his family. He thought that he had kept abreast of emails while away, but missed this one. The request is for the 30 days provided by Rule 242(i), SCACR, which would be July 28, 2023. In addition, counsel is leaving on July 2, 2023 for Costa Rica, where he is to be in court for three separate trials, the first on July 4 and the last to conclude on July 14. All three trials have been scheduled for many months. One has been postponed at least 3 times and another has been postponed once. He is booked on a flight to return to the United States near midnight on July 15. Counsel regrets the oversight and hopes that the Court understands the circumstances. He has not previously received an extension in this case.

Respectfully,

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June 28, 2023

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