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Aug 28 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Oconee County
Court of Common Pleas

Hon. Steven C. Kirven, Master in Equity

Appellate Case No. 2022-001189

Montgomery Holdings, LLC d/b/a IBI Builders.....Respondent,

Versus

Christopher J. Merlo and GrandSouth Bank.....Defendants.

AND

Christopher J. Merlo.....Appellant,

Versus

Gregory K. Grissinger, Jr., and John Montgomery.....Respondents.

**RESPONDENTS' MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS'
FINAL BRIEF**

Pursuant to Rule 240(a) SCACR, Respondents, Montgomery Holdings, LLC d/b/a IBI Builders, Gregory K. Grissinger, Jr., and John Montgomery, by and through their undersigned counsel, hereby moves for an extension of time to file their Final Brief in the above-captioned matter to October 6, 2023. Counsel for Respondents believes that the requested extension will neither prejudice the parties nor unduly delay this appeal. Counsel for Respondents is making this motion due to his schedule, which includes an anticipated weeklong jury trial beginning on

September 11, 2023, and Tropical Storm Idalia, which is anticipated to develop into a major hurricane affecting the Tampa, Florida area this week. Counsel for Respondent is a solo practitioner residing in Tampa, Florida. No memorandum in support of this motion is being filed as it is counsel's belief that such memorandum would not aid the Court in ruling on this motion.

Respectfully Submitted,



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PROOF OF SERVICE

I certify that I have served the Respondents' Motion for Extension of Time to File Respondents' Final Brief and Proof of Service on the Appellant by regular mail on August 28, 2023, addressed to counsel of record as follows:

Townes B. Johnson III
Townes B. Johnson III, LLC
PO Box 9246
Greenville, SC 29604

Respectfully Submitted,



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August 28, 2023

VIA REGULAR MAIL

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RE: *Montgomery Holdings, LLC, IBI Builders v. Christopher J. Merlo and Grandsouth Bank*
AND Christopher J. Merlo v. Gregory K. Grissinger, Jr., and John Montgomery
Appellate Case # 2022-001189

Dear Ms. Kitchings,

Enclosed for filing please find the following documents relative to the above-referenced matter:

1. Respondents' Motion for Extension of Time to File Respondents' Initial Brief; and
2. Check # 2279 in the amount of \$50.00 for the filing fee.

If you have any questions, please let me know. Thank you.

Sincerely,

TAROKH LAW, PLLC

/s/ Jason M. Tarokh

Jason M. Tarokh

Attorney

Encl.

cc: Client

Townes B. Johnson III, Attorney for Appellant