

THE STATE OF SOUTH CAROLINA

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In the Supreme Court

Dec 12 2023

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Jennifer B. McCoy, Circuit Court Judge

Civil Action No. 2016-CP-10-01833
Court of Appeals Case No. 2021-001055
Unpublished Opinion No. 2023-UP-206 (S.C. Ct. App. filed May 31, 2023)
Supreme Court Case No. 2023-001643

Andrew and Kimberly McIntire, Plaintiffs,

v.

Sequest Development Company, Inc.; Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction; Coastal Window & Door Center of Charleston, LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co., Inc.; Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; and New South Construction Supply, LLC, Defendants,

AND

Sequest Development Company, Inc., Third-Party Plaintiff/Petitioner,

v.

Architectural Products of Charleston, LLC; and Sealtight of South Carolina, LLC, Third-Party Defendants,

of which Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction; Coastal Window & Door Center of Charleston, LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co., Inc.; Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; and New South Construction Supply, LLC are the Respondents.

**MOTION FOR EXTENSION OF TIME
FOR RESPONDENTS TO FILE AND SERVE RETURN TO PETITION FOR WRIT OF
CERTIORARI**

Pursuant to Rules 240 and 263(b), SCAR, Respondents jointly move for an extension of time in which to file and serve Respondents' Return to Appellant's Petition for Writ of Certiorari. Appellant's Petition for Writ of Certiorari was filed on November 13, 2023. Respondents' Return to the Petition is due thirty (30) days after service of the Petition. Rule 240, SCACR. Presently, the Return to the Petition is due on December 13, 2023. Respondents request an extension of thirty (30) days to file and serve the Return to the Petition. This is the first request for an extension filed by Respondents. The extension requested is for thirty (30) days, in lieu of twenty (20) days, as the extension would span the upcoming holiday season. The requested extension is made for good cause and is consistent with the interest of justice. Further, it will not unduly prejudice Appellant. Respondents further request that the Court hold the present deadline in abeyance until this motion is ruled upon.

For these reasons, Respondents respectfully request an extension of the deadline for filing and serving their Return to the Petition for Writ of Certiorari until January 12, 2024.

Respectfully submitted,

[Signature page follows]

s/ Danielle F. Payne

Danielle F. Payne, Esquire
Bar Number: 73142
McAngus Goudelock & Courie, LLC
P.O. Box 65007
Mt. Pleasant, SC 29464
Attorney for Red Bay Constructors

s/ John E. Rogers, II

John E. Rogers, II, Esquire
Bar Number: 72779
Ward Law Firm, P.A.
23 Pine Street
Spartanburg, SC 29302
Attorney for Southcoast Exteriors, Inc.

s/ D. Summers Clarke

D. Summers Clarke, Esquire
Bar Number: 74829
Barnwell Whaley Patterson & Helms, LLC
P.O. Drawer H
Charleston, SC 29402
Attorney for Foam Insulation Co, Inc.

s/ Amanda Dudgeon

s/ J. Matthew Johnson

Amanda Dudgeon, Esquire
Bar Number: 72516
J. Matthew Johnson, Esquire
Bar Number: 81663
Chandler & Dudgeon, LLC
P.O. Box 547
Charleston, SC 29402
Attorneys for Sealight of South Carolina, LLC

December 12, 2023

s/ Shanna M. Stephens

Shanna M. Stephens, Esquire
Bar Number: 72012
Danielle B. Wegener, Esquire
Bar Number: 77481
Reynolds & Stephens, LLC
1064 Gardner Road, Suite 210
Charleston, SC 29407

-and-

s/ Preston B. Dawkins, Jr.

Preston B. Dawkins, Jr., Esquire
Bar Number: 72431
Aiken Bridges Elliott Tyler & Saleeby, P.A.
P.O. Drawer 1931
Florence, SC 29552
Attorneys for Coastal Plumbing & Gas, LLC

s/ Tyler Cloud

Tyler Cloud, Esquire
Bar Number: 103155
Clawson & Staubes, LLC
125 Seven Farms Dr., Suite 200
Charleston, SC 29492
Attorney for Lowcountry Fireplaces, Inc.

s/ William W. Watkins, Jr.

William W. Watkins, Jr., Esquire
Bar Number: 73582
Wall Templeton & Haldrop, P.A.
145 King St., Suite 300
Charleston, SC 29401
Attorney for Jerry Comer d/b/a Jerry's Tile & Marble