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AUG 09 2013

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
John M. Milling, Special Referee

Case No. 2009-CP-26-11862

69385

Harleysville Group Insurance, a Pennsylvania corporation,.. Appellant/Respondent,

v.

Heritage Communities, Inc., a South Carolina corporation;  
Heritage Magnolia North, Inc., a South Carolina  
corporation; Buildstar Corp., a South Carolina  
corporation; Magnolia North Horizontal Property Regime;  
Magnolia North Property Owners Assoc., Inc., a South  
Carolina corporation; and National Surety Corp.,..... Defendants,

Of whom Heritage Communities, Inc., a South Carolina  
corporation; Heritage Magnolia North, Inc., a South  
Carolina corporation; Buildstar Corp., a South Carolina  
corporation; and National Surety Corp. are..... Respondents,

And Magnolia North Horizontal Property Regime and  
Magnolia North Property Owners Assoc., Inc., a South  
Carolina corporation are..... Respondents/Appellants.

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**Appellant/Respondent's Consent Motion For Extension of Time**

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Pursuant to Rules 208 and 240 of the South Carolina Appellate Court Rules,  
Appellant/Respondent Harleysville Group Insurance ("Harleysville") hereby requests a  
30 day extension of time to file its Initial Brief and Designation of Matter to be  
Included in the Record on Appeal in this case.

The grounds for this motion are as follows. Undersigned counsel has been  
working on this matter while contemporaneously working on appellate briefing in other  
matters on timelines that have run concurrently. Counsel submitted a brief to the Court

of Appeals on August 1, 2013 in Appellate Case No. 2012-213310. Counsel is submitted a petitioner's brief to submit to this Court on August 5, 2013, in Appellate Case No. 2011-197986. Counsel also has several other filings due in appellate courts, including in an original jurisdiction matter in this Court, and in the trial courts. In addition, the undersigned is also on vacation this month and has had no vacation to date this year. Opposing counsel consents to this extension request.

The current due date for Harleysville's Initial Brief and Designation is August 19, 2013. With thirty day extension, Harleysville's brief and designation would be due on September 18, 2013. Harleysville further requests that the current deadline be held in abeyance until this Court issues an order on this motion.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

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Attorneys for Appellant/Respondent Harleysville

August 9, 2013  
Columbia, South Carolina

I consent to the Motion for Extension of time filed August 9, 2013:

By: Pat Henry by C. Upstall Jr. as per min.

John P. Henry  
Thompson & Henry, P.A.  
1300 Second Ave, Third Floor  
P.O. Box 1740  
Conway, S.C. 29528

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v.

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Of whom Heritage Communities, Inc., a South Carolina corporation; Heritage Magnolia North, Inc., a South Carolina corporation; and National Surety Corp. are ..... Respondents,

And Magnolia North Horizontal Property Regime and Magnolia North Property Owners Assoc., Inc., a South Carolina corporation are ..... Respondents/Appellants.

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PROOF OF SERVICE

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I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):


Pleadings:

Appellant/Respondent's Motion for Extension of Time

Counsel Served:

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Carolyn Blackwell  
Administrative Assistant

8/9, 2013

# Nelson Mullins

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August 9, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

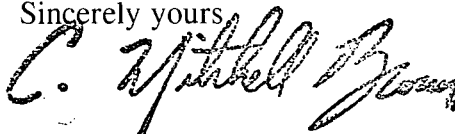
RE: Harleysville Group Insurance v. Heritage Communities, Inc., a South Carolina Corporation; Heritage Magnolia North Inc., a South Carolina Corporation; et al.  
C.A. No.: 2009-CP-26-11862  
Appellate Case No. 2013-001281  
Our File No.: 00470/01580

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of Appellant/Respondent's Motion for Extension of Time to File its Initial Brief of Appellant and Designation of Matter in the above-captioned matter. We would ask that you file the original and return a clocked-in copy to us via our courier. Also enclosed is our Firm check in the amount of \$25.00 as the required filing fee.

With kind regards, I remain

Sincerely yours



C. Mitchell Brown

CMB:lpw  
Enclosure  
cc: John P. Henry, Esquire  
Laura Johnson Evans, Esquire

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