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Jun 24 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Circuit Court Judge

Appellate Case No. 2024-000787

Case No.: 2019-CP-10-01108

Balfour Beatty Construction, LLC, Appellant,

v.

Library Associates, LLC; and Metropolitan Life Insurance Company, a New York Corporation, Defendant

And

Library Associates, LLC, Third-Party Plaintiff,

v.

Lithko Contracting, LLC, Guy M. Beaty, Inc., Bernard MMC, LLC, Gulf Stream Construction Company, Inc., Precision Walls, Inc., Palmetto Automatic Sprinkler Company, Inc., Cook & Boardman, LLC, Strong Tower Construction, LLC d/b/a Koch Corporation, Watson Electrical Construction Co., LLC, Trimark Foodcraft, LLC, Pleasant Places, Inc., David Allen Company, Inc., Premier Exteriors, LLC, Warco Construction, Inc., Old North State Masonry, LLC, Tom Rochester & Associates d/b/a Southeastern Architectural Systems, Forton Company, LLC, Low Country Case & Millwork, Inc., Quantum Coatings, LLC, Balfour Beatty Construction Group, Inc., Third-Party Defendants.

Of which Premier Exteriors, LLC is the Respondent.

**APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL**

Appellant Balfour Beatty Construction, LLC (“Appellant”) pursuant to 240(a), SCACR, respectfully request an extension of time of thirty (30) days within which to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal.

This is Appellant’s second motion requesting an extension of time to file the Appellant’s Initial Brief and Designation of Matter to be Included in the Record on Appeal.

As a result of Appellant’s counsels’ work schedule, Appellant respectfully contends that good cause exists for an extension of time to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal.

WHEREFORE, Appellant respectfully requests an order granting an extension of thirty (30) days to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal, up to and including Friday, August 2, 2024.

PARKER POE ADAMS & BERNSTEIN LLP

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*Attorneys for Appellant, Balfour Beatty
Construction, LLC*

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Columbia, South Carolina

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Of which Premier Exteriors, LLC is the Respondent.

PROOF OF SERVICE

The undersigned hereby certifies that on June 24, 2024, a copy of **Appellant's Second Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be included on the Record on Appeal** was served on all counsel of record via email containing the above referenced document to counsel's individual AIS email addresses:

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*Attorneys for Appellant, Balfour Beatty
Construction, LLC*

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June 24, 2024

VIA E-MAIL & HAND DELIVERY:

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
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Re: *Balfour Beatty Construction, LLC v. Library Associates, LLC, et al.*
Appellate Case No.: 2024-000787; Trial Court Case No.: 2019-CP-10-01108

Dear Mrs. Kitchings:

Enclosed for filing in the *Balfour Beatty Construction, LLC v. Library Associates, LLC, et al.*, Appellate Case No. 2024-000787, please find one copy of Appellant's Second Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be included on the Record on Appeal and a Proof of Service. Copies of same are being provided to all counsel of record via e-mail. The motion filing fee check is being hand-delivered to your office.

Should you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,

s/Katon E. Dawson, Jr.

Katon E. Dawson, Jr.

KED/tlc
Enclosures
cc: Robert C. Hughes, III, Esq. (rhughes@rhp-law.com)