

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Hon. R. Scott Sprouse, Circuit Court Judge

Case No.: 2019-CP-04-01942
Appellate Case No.: 2023-001681

Natalie Zitek, individually, and on behalf of all others similarly situated,
Plaintiff,

v.

D.R. Horton, Inc., Jane Doe #1-10; and, John Doe #1-50,
Defendants,

AND

D.R. Horton, Inc.,
Third-Party Plaintiff,

v.

AJ Landscaping & Grading, LLC a/k/a A J Landscaping & Grading, LLC; AllPro Textures, LLC; Alpha Omega Construction Group, Inc.; American Concrete and Precast, Inc.; a/k/a ACP Concrete, Inc.; A&J Framing, Inc.; Alpha E.M.C.; A-Z, Inc.; Atlanta Floor Designs Center; A Grade Above Others, LLC; Brand-Vaughan Lumber Co, Inc.; BKF Builders, Inc.; Builders Designhouse, LLC; BMC East LLC d/b/a Coleman Floor, LLC; Builders Firstsource Southeast Group, LLC, a/k/a Builders Firstsource, Inc.; Bravo Carpenters, Inc.; Caryl Mechanics II, Inc., a/k/a Caryl Mechanicals, Inc.; Cannaday Siding & Gutter, Inc.; Cortes Painting, LLC; CBU Enterprises, Inc.; CPI Security Systems, Inc.; DOM Group, LLC; Ferguson Enterprises, Inc.; Five Star Construction Inc.; Five Star Foundations, LLC; Galloway-Bell, Inc., a/k/a Galloway-Bell, Inc. II; Get Floored, LLC; GBS Building Supply; US LBM, LLC, f/k/a GBS Building Supply, Inc.; General Shale Brick Inc.; Greener Pastures, Inc., a/k/a Green Pastures of Aiken, LLC; IBS Asset, LLC d/b/a Blue Ridge Building Products; Installed Building Products, LLC, a/k/a Installed Building Products II LLC; JLS Masonry, Inc.; Kings Landscaping, LLC; Landshapers, LLC; Lade-Danlar, Inc.; Lansing Building Products, Inc.; Long

Heating & Air Conditioning, Inc.; L&M Electric, Inc; Manale Landscaping, LLC; MJ Cowboys, LLC; M&L General Construction, LLC, a/k/a M&L General Construction, Inc.; M&L Reyna Construction, LLC; M&M Foundations, LLC; Nazareth Builders, LLC; NB Contractors, LLC; Poinsett Development, LLC; Poinsett Homes, LLC; P&T Construction, Inc., a/k/a P & T Construction, Inc.; P & L Enterprises, LLC; Probuild Company, LLC a/k/a Probuild Holdings, Inc.; Rite Rug Company, Inc., a/k/a, Rite Rug Co.; Rodney Howard Grading Inc., a/k/a Rodney Howard Grading Co.; Sandlapper Concrete, LLC; Sodfather Inc., Landscape Contractors; Stock Building Supply, LLC; Topbuild Home Services, Inc., a/k/a Gale Contractors Service; Tucker Materials, Inc, a/k/a Gypsum; Silver Line Building Products Corp.; Dupree Plumbing Co., Inc.; UTM Enterprises, Inc; and Willow Tree Landscaping, Inc., and Silver Line Building Products Corporation,

Third-Party Defendants,

Of whom Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc. II is the Respondent,

AND

D.R. Horton, Inc. is the Appellant.

GALLOWAY-BELL, INC. A/K/A GALLOWAY-BELL, INC. II'S MOTION FOR EXTENSION TO FILE AND SERVE ITS FINAL BRIEF

Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, Respondent Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc. II (“Galloway Bell”) hereby moves for an extension of time to file and serve its Final Brief which was due on July 22, 2024. Respondent’s Final Brief will be due on August 15, 2024. Appellant’s counsel has graciously agreed to this request.

[SIGNATURE BLOCK TO FOLLOW]

Respectfully submitted,

s/ Jeffrey A. Ross

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a/k/a Galloway-Bell, Inc. II

Mt. Pleasant, South Carolina

July 29, 2024

Other Counsel of Record:

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Third-Party Defendants,

Of whom Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc. II is the Respondent,

AND

D.R. Horton, Inc. is the Appellant.

CERTIFICATE OF SERVICE AND FILING

The undersigned does hereby certify that on July 29, 2024, a copy of **Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc. II's Motion for Extension to File and Serve Its Final Brief** pursuant to Rule 262 (c)(3), SCACR, and S.C. Supreme Ct. Order dated August 25, 2021 on the following counsel of record using the primary email address listed in the Attorney Information System (if applicable):

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ROSS & CRISTALDI, LLC

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July 29, 2024

VIA ELECTRONIC MAIL

The Honorable Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

Re: Natalie Zitek v. DR Horton, et al.
Case No.: 2019-CP-04-01942
Appellate Case No.: 2023-001681

Dear Ms. Kitchings:

Pursuant to Section (b)(2) the Supreme Court's Order Methods of Electronic filing and Service under Rule 262 of the South Carolina Appellate Court Rules (as amended May 6, 2022), please find enclosed for filing Galloway-Bell, Inc. a/k/a Galloway-Bell, Inc.'s Motion for Extension to File and Serve Its Final Brief with regard to the above referenced matter. By copy of this letter, I am serving on all counsel of record by email only pursuant to Section (d)(1) of the same Supreme Court Order. A check for \$50.00 has been placed in the mail for the filing fee.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you very much for your attention to the above.

Very truly yours,

s/ Jeffrey A. Ross

Jeffrey A. Ross

JAR/kdn

Enclosures (as stated above)

cc: *All Counsel of Record (via email only, with enclosures)*

RECEIVED

Jul 29 2024

SC Court of Appeals