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Aug 19 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
R. Ferrell Cothran, Jr., Circuit Court Judge

Appellate Case No. 2022-001587

315 Corley CW LLC; 368 Mount Pelia LLC; Bridge Charleston Investments B LLC; Bridge Charleston Investments C LLC; Bridge Charleston Investments E LLC; Bridge Charleston Investments H LLC; Anne Bosler and Dylan Hart as Trustees of the Bosler-Hart Trust; Geoffrey J. Block; R. Jeffrey Kimball and Deborah S. Kimball; Sebrina Leigh-Jones and Chris Leigh-Jones; Jennifer Albero; Live Oak Assets LLC; Matthew N. Lynch and Barbara A. Lynch; MKM 22 West LLC; One Rumford Lane LLC; Salt Works LLC; and TTJR LLC; individually, derivatively, and as class representatives, as set forth herein, Respondents/Appellants,

v.

Palmetto Bluff Development, LLC; Palmetto Bluff Club, LLC; Palmetto Bluff Real Estate Company, LLC; PBLH, LLC; Montage Palmetto Bluff, LLC; Palmetto Bluff Preservation Trust, Inc.; Palmetto Bluff Preservation Trust Board of Stewards: Jordan Phillips; Mark Polites; Gray Ferguson; Henry Armistead; South Street Partners LLC; John Does 1-25, Appellants/Respondents.

**CONSENT MOTION FOR ADDITIONAL EXTENSION OF TIME TO FILE
PETITION FOR REHEARING**

Appellants/Respondents (“Palmetto Bluff”), pursuant to Rule 240, SCACR, respectfully move for an Order extending the deadline to file and serve their Petition for Rehearing from their current date of August 30, 2024, up to and through September 20, 2024. Appellants/Respondents consent to the relief requested herein.

In support of this Motion, Palmetto Bluff would show as follows:

1. This Court issued its Opinion deciding this case on July 24, 2024. Pursuant to Rule 221(a), SCACR, Palmetto Bluff's petition for rehearing was originally due on August 8, 2024.

2. The parties have been engaged in serious ongoing settlement negotiations that may resolve the disputes between them, which would make a petition for rehearing unnecessary. The original deadline for Palmetto Bluff's petition for rehearing was extended until August 30, 2024. The settlement negotiations cover a large number of issues, involve numerous parties, and raise multi-faceted drafting issues – all of which the parties have been diligently pursuing, and wish to continue pursuing. An additional extension of the time to file the petition for rehearing will allow this settlement process to proceed without the need to divert time, attention, and effort to drafting a petition for rehearing that may not be necessary.

3. An extension is needed for the additional reason of undersigned counsel's case schedule and workload, and the approach of the original amended filing deadline, which will necessitate diversion of attention to that effort absent an additional extension.

4. An extension of time to September 20, 2024 is expected to be sufficient to accommodate the parties' negotiations and undersigned counsel's case schedule.

5. Undersigned counsel has conferred with counsel for Respondents/Appellants and is authorized to state that Respondents/Appellants consent to the relief requested herein.

CONCLUSION

For the reasons set forth above, Palmetto Bluff respectfully requests entry of an order extending the deadline for its petition for rehearing to September 20, 2024.

Respectfully submitted,

s/Val H. Stieglitz
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Pro Hac Vice

August 19, 2024

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PROOF OF SERVICE

I certify that I served the foregoing **Consent Motion for Additional Extension of Time to File Petition for Rehearing** on Respondents/Appellants by emailing a copy of the same to the following counsel of record for Respondents/Appellants using the primary email address listed in the Attorney Information System.

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August 19, 2024

s/ Kirsten E. Small

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