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Aug 30 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Special Referee J.C. Nicholson, Jr.

Civil Action No.: 2018-CP-10-00330

Fenwick Commons Homeowners Association, Inc.,

Plaintiff,

-vs-

Portrait Homes - South Carolina, LLC; Portrait Homes-Fenwick Commons, LLC; D.R. Horton, Inc.; Samuel Glover d/b/a Glover's Brickworks; Glover's Brickworks, Inc.; JJA Construction, Inc. d/b/a JJA Framing; JJA Construction, Inc. d/b/a JJA Framing Company; Jose Castillo d/b/a JJA Framing; Jose Castillo d/b/a JJA Framing Company; International Construction Services, Inc.; International Construction Services, Inc., d/b/a International Construction; United Siding Specialists, Inc.; Old Charleston Builders, LLC; Heritage Construction Consultants, Inc.; Robert H. Yarnall d/b/a Heritage Construction Consultants, Inc.; PNL Construction, LLC; Clear Choice Group, LLC; Built Right Construction, LLC; Alfonso Villavicencio d/b/a Alfonso's Painting; Alfonso Painting & Drywall, Inc.; Diria Tawi Painting, Inc.; Juan Luis Sanchez d/b/a Sanchez Brothers Painting; Sanchez Brothers Painting, Inc.; Windward Shutters, LLC, d/b/a Windward Hurricane Shutters, LLC; 84 Lumber Company; **Builders Firstsource - Southeast Group, LLC**; Americo Roofing Concepts, f/k/a Americo Roofing Concepts, f/k/a Americo Roofing Concepts Enterprises, Inc.; Americo Roofing Concepts, Inc. f/k/a American Roofing Concepts; Archer Exteriors, Inc.; and Professional Exteriors, LLC; Luciano Dias Gomes d/b/a Prestige Home Construction; Geraldo Da Cunha; Pablo Rojas Franco; Charles Gunter; Henry A. Palmer; Julio C. Crespo; Brasilican Contracting, LLC; Charles Bowser d/b/a CWB Services; Levi Arruda; Jose Geraldo Dos Reis; Leandro De. Paulo Araujo; Helio A. De Rezende; Vinivius Araujo De Freitas a/k/a Vinicius Araujo; Robert M. Hughes d/b/a Robert's Vinyl Siding; Lucas Rodrigues Barcelos a/k/a Lucas Rodriguez Barcelos; Karla Bazerra; Rodrigo B. Vasconcelos; Rondinely G. Da Silva; Marcio Nunes Da Silva; W&M Vinyl Siding, LLC; Bar Contractors, Inc.; William Construction Services, LLC; and Donald Lee d/b/a Vinyl Siding Specialists,

Defendants.

Fenwick Commons Homeowners Association, Inc., Plaintiff and Respondent,

-vs-

Builders FirstSource – Southeast Group, LLC,
Defendant and Appellant

APPELLANT BUILDERS FIRSTSOURCE-SOUTHEAST GROUP, LLC'S
CONSENT MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF
AND DESIGNATION OF MATTER

Appellant Builders FirstSource-Southeast Group, LLC respectfully submits this motion for a thirty (30) day extension to file its initial brief and designation of matter in the above-captioned appeal. The current deadline is September 6, 2024. This is the first request for an extension of this deadline.

This extension is requested due to the counsel's workload. The proposed new deadline would be October 7, 2024, according to the undersigned's calculation. This motion is made in good faith and not for the purpose of delay. Respondent has consented to the Appellant's request for an extension of time.

WHEREFORE, Appellant Builders FirstSource – Southeast Group, LLC request that the Court grant permission to file its initial brief and designation of matter by October 7, 2024. Counsel for Appellant respectfully requests the Court hold its current briefing deadline in abeyance until the Court acts on this motion.

WE SO MOVE:

HOWELL, GIBSON & HUGHES, P.A.
By: /s/William H. Cox, III
William H. Cox, III, Esquire
(S.C. Bar No.: 101991)
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*Attorney for Builders FirstSource-Southeast Group, LLC,
Defendant and Appellant.*

WE CONSENT:

THE CHAKERIS LAW FIRM

By: /s/Alicia D. Pullano

John T. Chakeris

(S.C. Bar No.: 7060)

Alicia D. Pullano

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SEGUI LAW FIRM, PC

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*Attorneys for Fenwick Commons Homeowners Association,
Inc., Plaintiff and Respondent*

Beaufort, South Carolina

August 30, 2024

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-vs-

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Defendants.

Fenwick Commons Homeowners Association, Inc., Plaintiff and Respondent,

-vs-

Builders FirstSource – Southeast Group, LLC,
Defendant and Appellant

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that they have served Appellant Builders FirstSource – Southeast Group, LLC’s **“CONSENT MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER”** upon Respondent’s counsel, John T. Chakeris, Alicia D. Pullano, and Phillip W. Segui, Jr., via electronic mail only to john@chakerislawfirm.com, alicia@chakerislawfirm.com, and psegui@seguilawfirm.com on this 29th day of August 2024.

Respectfully submitted,

HOWELL, GIBSON & HUGHES, P.A.

By: /s/William H. Cox, III
William H. Cox, III, Esquire
(S.C. Bar No.: 101991)
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Beaufort, SC 29901-0040
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*Attorney for Builders FirstSource-Southeast
Group, LLC, Defendant and Appellant.*

Breanna Wicht

From: Alicia Pullano <alicia@chakerislawfirm.com>
Sent: Thursday, August 29, 2024 6:31 PM
To: Breanna Wicht; psegui@seguilawfirm.com; John Chakeris
Cc: Witt Cox
Subject: Re: Consent for Motion {Fenwick Commons vs. Builders FirstSource }

Thanks Breanna, you may sign on our behalf. Thank you!



Chakeris Law Firm

Alicia D. Pullano, Esquire
Associate
234 Seven Farms Drive, Suite 128
Charleston, SC 29492
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From: Breanna Wicht <bwicht@hgpha.com>
Date: Thursday, August 29, 2024 at 1:48 PM
To: psegui@seguilawfirm.com <psegui@seguilawfirm.com>, John Chakeris <john@chakerislawfirm.com>, Alicia Pullano <alicia@chakerislawfirm.com>
Cc: Witt Cox <WCox@hgpha.com>
Subject: Consent for Motion {Fenwick Commons vs. Builders FirstSource }

Alicia,

Thank you for consenting to the Motion for Extension of Time to File Initial Brief and Designation of Matter. I have attached a copy of said motion. Please allow this email to confirm same.

With Kind Regards,

Breanna N. Wicht

Breanna N. Wicht, Paralegal for
William H. Cox, III, Robert S. Dennis

STEPHEN P. HUGHES
ROBERT W. ACHURCH III *
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*Certified Mediator

VIA EMAIL & CERTIFIED MAIL
9589 0710 5270 0188 1767 85

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Aug 30 2024

SC Court of Appeals

August 30, 2024

South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: Fenwick Commons Homeowners Association, Inc. vs. Portrait Homes-
South Carolina, Builders FirstSource Southeast Group, LLC, et al
Appellate Case No. 2024-001282

Dear Sir or Madam:

Please find enclosed herewith for filing Appellant Builders FirstSource-Southeast Group, LLC's Consent Motion for Extension of Time to File Initial Brief and Designation of Matter, along with a check in the amount of \$50.00 in payment of the filing fee with regard to the above referenced matter. I would appreciate your filing same and returning a clocked copy to me via email at wcox@hghpa.com.

Should you have any question or concern as to the matters set forth herein, please feel free to contact me.

With kindest regards, I am

HOWELL, GIBSON AND HUGHES, P.A.



William H. Cox, III

WHC/bw
Enclosures