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**Oct 15 2024**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

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**APPEAL FROM HORRY COUNTY  
Court of Common Pleas**

Honorable Mikell R. Scarborough, Circuit Court Judge and Master-In-Equity

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Appellate Case No.: 2024-000753  
Case No. 2019-CP-10-1108

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Balfour Beatty Construction, LLC,.....Appellant,

v.

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

And

Library Associates, LLC, , ..... Third – Party Plaintiff,

v.

Lithko Contracting, 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, Lwo Country Case & Millwork, Inc., Quantum Coatings, LLC, Balfour Beatty Construction Group, Inc., .....  
.....Third-Party Defendants.

Of which Strong Tower Construction, LLC d/b/a Koch Corporation and Watson Electrical Construction Co., LLC are the Respondents.

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**MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS’  
INITIAL BRIEF AND DESIGNATION OF MATTER**

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Respondent Watson Electrical Construction Co., LLC's Brief is due to be filed on or about October 23, 2024.. Due to Respondents' counsel's work schedule and the impacts of Hurricane Helene, Respondent Watson Electrical Construction Co., LLC respectfully requests an Order extending its time to file an initial brief and designation of matter for thirty (30) days. This is Respondent Watson Electrical Construction Co., LLC's first motion requesting an extension of time to file its initial brief and designation of matter.

Respondent respectfully requests until and including November 25, 2024 to file its initial brief and designation of matter.

Windle Terry Bimbo

By: /s/ Don R. Terry

Don R. Terry  
SC Bar No. 101395  
150 Milestone Way, Suite C  
Greenville, SC 29615  
Voice: (864) 484-3428  
Fax: (704) 626-6446  
[dterry@wtbconstructionlaw.com](mailto:dterry@wtbconstructionlaw.com)

*Attorney for Watson Electrical Construction  
Co., LLC.*

October 15, 2024  
Greenville, SC

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable William H. Seals, Jr., Circuit Court Judge

Case No. 2023-CP-26-00053

Paint Design, LLC, .....Appellant,

v.

Westgate Myrtle Beach, LLC a/k/a Westgate Resorts, Ltd.  
and RNR Construction, LLC, ..... Respondents.

**PROOF OF SERVICE**

I certify that I have served the **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS' INITIAL BRIEF AND DESIGNATION OF MATTER** upon Appellant Paint Design, LLC by email transmission on \_\_\_\_\_, 2024, addressed to their attorney of record, Howell V. Bellamy, III, of Bellamy, Rutenberg, Copeland, Epps, Gravely & Bowers, P.A., email address [hbellamyiii@bellamylaw.com](mailto:hbellamyiii@bellamylaw.com), P.O. Box 357, Myrtle Beach, South Carolina 29578.

/s/ Don R. Terry

Don R. Terry (SC Bar No. 101395)

Windle Terry Bimbo

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*Attorney for Respondents*

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.....Third-Party Defendants.

Of which Strong Tower Construction, LLC d/b/a Koch Corporation and Watson Electrical Construction Co., LLC are the Respondents.

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**PROOF OF SERVICE**

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I certify that, on the date indicated below, I served Respondent Watson Electrical Construction Co., LLC's, Motion for Extension to File Initial Brief and Designation of Matter via email on the following:

James L. Werner, Esq.  
Katon E. Dawson, Jr., Esq.  
Thomas C. Hildebrand, Jr., Esq.  
Robert C. Byrd, Esq.  
W. Greyson Land, Esq.  
P. Nicholas Nybo, Esq.  
jimwerner@parkerpoe.com  
katondawson@parkerpoe.com  
tomhildebrand@parkerpoe.com  
bobbybyrd@parkerpoe.com  
greysonland@parkerpoe.com  
nicknybo@parkerpoe.com

*Attorneys for the Appellant*

Samuel M. Wheeler  
sam@whitfieldcargilelaw.com

*Attorney for Strong Tower Construction, LLC d/b/a  
Koch Corporation*

Windle Terry Bimbo

By: /s/ Don R. Terry

Don R. Terry  
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[dterry@wtbconstructionlaw.com](mailto:dterry@wtbconstructionlaw.com)

*Attorney for Watson Electrical Construction  
Co., LLC.*

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v.

Westgate Myrtle Beach, LLC a/k/a Westgate Resorts, Ltd.  
and RNR Construction, LLC, ..... Respondents.

**PROOF OF SERVICE**

I certify that I have served the **MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS' INITIAL BRIEF AND DESIGNATION OF MATTER** upon Appellant Paint Design, LLC by email transmission on \_\_\_\_\_, 2024, addressed to their attorney of record, Howell V. Bellamy, III, of Bellamy, Rutenberg, Copeland, Epps, Gravely & Bowers, P.A., email address [hbellamyiii@bellamylaw.com](mailto:hbellamyiii@bellamylaw.com), P.O. Box 357, Myrtle Beach, South Carolina 29578.

*/s/ Don R. Terry*

Don R. Terry (SC Bar No. 101395)

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*Attorney for Respondents*

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October 15, 2024

**VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED AND E-MAIL:**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

**Re: *Appellate Case No.: 2024-000753***

Dear Mrs. Kitchings:

Enclosed for filing in the *above referenced case*, please find one copy of Respondent Watson Electrical Construction Co., Inc.'s Motion for Extension of Time to File Initial Brief and Designation of Matter, Proof of Service and \$50.00 filing Fee.

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

Sincerely,

*s/ Don R. Terry*

Don R. Terry

Enclosures

cc: All Counsel of Record on Proof of Service