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**Mar 14 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas  
Mikell R. Scarborough, Master-In-Equity

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Appellate Case No. 2024-000788  
Case No.: 2019-CP-10-01108

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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, 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 Library Associates, LLC is the Respondent.

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

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Respondent Library Associates, LLC (“Respondent”), pursuant to Rule 240(a), SCACR, respectfully requests an extension of time of thirty (30) days within which to file Respondent’s Initial Brief and Designation of Matter to be Included in the Record on Appeal.

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

The grounds for this motion for extension of time are as follows: (1) Appellant was provided two hundred and forty-nine (249) days from the filing of its Notice of Appeal<sup>1</sup> to submit its Initial Brief and Designation of Matter to be Included in the Record on Appeal; (2) Appellant was granted an additional twenty-five (25) pages for its Initial Brief; (3) Respondent’s counsels’ work schedule has made it impossible to complete the Initial Brief and Designation of Matter to be Included in the Record on Appeal within the time currently provided.

Given the foregoing and notwithstanding Respondent’s counsels’ best efforts, Respondent respectfully contends that good cause exists for an extension of time to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

WHEREFORE, Respondent Respectfully requests an order granting an extension of time of thirty (30) days within which to file Respondent’s Initial Brief and Designation of Matter to be Included in the Record on Appeal, up to and including Monday, April 21, 2025.

**[Signature Page Follows]**

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<sup>1</sup> At the time of the filing of the Notice of Appeal, the transcript of record was complete.

BUNDY MCDONALD, LLC

/s M. Brent McDonald

Bundy McDonald, LLC

W.H. Bundy, Jr., Esquire (SC Bar No. 1012)

M. Brent McDonald, Esquire (SC Bar No 78057)

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Attorneys For Library Associates, LLC.

March 14, 2025

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Of which Library Associates, LLC is the Respondent.

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on March 14, 2025, a copy of Respondent's Second Request for an extension of time to file its Initial Brief and Designation of Matter to be included in the

Record on Appeal was served on Appellant's Counsel via email to counsels' individual AIS email addresses as follows:

James Lynn Werner  
1221 Main Street, Suite 1100  
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March 14, 2025

Mar 14 2025

SC Court of Appeals

March 14, 2025

**Via Email and US Mail**

The Honorable Jenny Abbot Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
ctappfilings@sccourts.org

Re: Balfour Beatty Construction, LLC v. Library Associates, LLC, et al.  
Appellate Case No.: 2024-000788

Dear Mrs. Kitchings:

Enclosed herewith is Respondent Library Associates, LLC (“Respondent”) Motion for a **SECOND** extension of time of thirty (30) days within which to file Respondent’s Initial Brief and Designation of Matter to be included in the Record on Appeal in Appellate Case No. 2024-000788.

Also Enclosed herewith is a Proof of Service of this Request for second extension on Appellant’s Counsel. A filing fee of \$50.00 is enclosed with the copy of this correspondence sent by U.S. Mail. With kindest regards, I remain

Sincerely yours,

/s M. Brent McDonald

M. Brent McDonald

Enc. (As noted)

cc: **Attorneys for Appellant:**

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Attorneys for Appellant Balfour Beatty Construction,  
LLC

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