

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE LEXINGTON COUNTY COURT OF COMMON PLEAS
Walton J. McLeod, Circuit Court Judge
Case No.: 2022-CP-32-01932
Appellate Case No. 2025-000905

Bundy McDonald, LLC, Appellant,

vs.

WECO River District, LLC, Respondent.

RECEIVED

Jul 29 2025

SC Court of Appeals

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

Appellant Bundy McDonald, LLC ("Appellant"), pursuant to Rule 240(a), SCACR, requests an extension of time of twenty-one (21) days within which to file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal. Appellant would respectfully point out to the Court that this request is in fact and actuality only for fourteen (14) additional days as the original grant of extension of time within which to file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal inadvertently only granted a twenty-three (23) day extension instead of the thirty (30) days requested and customarily awarded by this Court. See Exhibits A and B.

This is Appellant's THIRD motion requesting an extension of time to file Appellant'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) This appeal arises out of a bench trial that produced an Order containing numerous findings of fact and conclusions of law. Appellant contends that at times these findings are not differentiated as findings of fact or law. As such, Appellant is working diligently to continue to cross reference the Record with the Order and testimony in this matter. This process has proven to take more time than expected; (2) Appellant has worked diligently to prepare its Initial Brief and Designation of Matter within the time periods previously provided, but needs more time to adequately prepare the briefing and designation; (3) Appellant's 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 Appellant's best efforts, Appellant respectfully contends that there is an extraordinary cause for such an extension, there does so exist good cause for an additional extension of time to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal, and there is no prejudice to the Respondent. Appellant does not anticipate any further extensions will be necessary.

WHEREFORE, Appellant respectfully requests an order granting an extension of time of twenty-one (21) days within which to file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal, up to and including Friday, August 22, 2025.

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)

1516 Old Trolley Rd, 2nd Floor

Summerville, SC 29485

888-552-1559

walter@bundymcdonald.com

brent@bundymcdonald.com

Attorneys For Appellant.

July 29, 2025

June 2, 2025

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Jun 02 2025

SC Court of Appeals

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: Bundy McDonald, LLC v. WECO River District, LLC
Appellate Case No.: 2025-000905

Dear Mrs. Kitchings:

Appellant Bundy McDonald, LLC ("Appellant") pursuant to Rule 240(a), SCACR, respectfully requests an extension of time of thirty (30) days within which to file Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal in Appellate Case No. 2025-000905.

This is Appellant's **FIRST** request for an extension of time within which to file Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal. This request would make Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal to be filed and served on or before **July 8, 2025**.

Enclosed herewith is a Proof of Service of this Request for extension on Respondent's Counsel. Also, 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: Attorney for Respondent:



Hank Wall
Bruner, Powell, Wall and Mullins, LLC
P.O. Box 61110
Columbia, SC 29260
hwall@brunerpowell.com

Attorney for Defendant WECO River District, LLC

The South Carolina Court of Appeals

Bundy McDonald, LLC, Appellant,

v.

WECO River District, LLC, Respondent.

Appellate Case No. 2025-000905

The Honorable Walton J. McLeod, IV
Lexington County
Trial Court Case No. 2022CP3201932

ORDER

The time for serving and filing the appellant's initial brief and designation of matter is hereby extended until July 2, 2025.

FOR THE COURT

BY

Catherine Harrison, deputy
CLERK

Columbia, South Carolina

FILED
Jun 03 2025

cc:

Walter Henry Bundy, Jr., Esquire
Michael Brent McDonald, Esquire
Henry Pickett Wall, Esquire



**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM THE LEXINGTON COUNTY COURT OF COMMON PLEAS

Walton J. McLeod, Circuit Court Judge

Case No.: 2022-CP-32-01932

Appellate Case No. 2025-000905

Bundy McDonald, LLC, Appellant,

vs.

WECO River District, LLC, Respondent.

PROOF OF SERVICE

The undersigned hereby certifies that on July 29, 2025, a copy of Appellant's THIRD 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 Respondent's Counsel via email to counsels' individual AIS email addresses as follows:

Attorney for Respondent:

Hank Wall
Bruner, Powell, Wall and Mullins, LLC
P.O. Box 61110
Columbia, SC 29260
hwall@brunerpowell.com

Attorney for Defendant WECO River District, LLC

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SC Court of Appeals

[Signature Page Follows]

BUNDY MCDONALD, LLC

s/M. Brent McDonald

W. H. Bundy, Jr., Esq. (SC Bar #1012)

M. Brent McDonald, Esq. (SC Bar #78057)

1516 Old Trolley Road, 2nd Floor

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walter@bundymcdonald.com

brent@bundymcdonald.com

Attorneys for Plaintiff/Appellant

July 29, 2025

July 29, 2025

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SC Court of Appeals

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: Bundy McDonald, LLC v. WECO River District, LLC
Appellate Case No.: 2025-000905

Dear Mrs. Kitchings:

Enclosed on behalf of Appellant Bundy McDonald, LLC ("Appellant") is Appellant's Motion for a THIRD extension of time, pursuant to Rule 240(a), SCACR, to file Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal in Appellate Case No. 2025-000905.

This request would make Appellant's Initial Brief and Designation of Matter to be included in the Record on Appeal to be filed and served on or before **August 22, 2025**.

Enclosed herewith is a Proof of Service of this Request for extension on Respondent's Counsel. Also, 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: **Attorney for Respondent:**

Hank Wall
Bruner, Powell, Wall and Mullins, LLC

P.O. Box 61110
Columbia, SC 29260
hwall@brunerpowell.com

Attorney for Defendant WECO River District, LLC