

IN THE STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. SUPREME COURT

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

Appellate Case No. 2024-002098
Court of Appeals Case No. 2022-001587
Supreme Court Case No. 2024-002098

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.....Respondents,

v.

Palmetto Bluff Development, LLC; Palmetto Bluff Club, LLC; Palmetto Bluff Real Estate Company, LLC; PLBH, 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; and John Does 1-25Petitioners.

MOTION TO EXCEED PAGE LIMIT FOR RESPONSE BRIEF

Pursuant to Rule 208(b)(5), SCACR, Respondents respectfully move this Court for permission to exceed the fifty-page limit for their Response Brief by five pages. Contemporaneously with the filing of this Motion, Respondents are filing their Response

Brief with this Court, which is fifty-five pages long, and they respectfully request that this Court would accept their brief as filed.

The grounds for this motion include that there are numerous, complex issues before this Court for certiorari review and an Appendix that is more than one thousand pages long. Moreover, there are twenty-one Respondents and twelve Petitioners involved in this appeal, to whom different facts and circumstances pertain, requiring more space to address the varying claims and defenses. The sheer number of parties, and the differing facts that pertain to them, at times required discrete responses to the factual assertions and arguments in Petitioners' Brief. To address that adequately, the Respondents' brief must address unusually complex, multifaceted issues, including multiple independent sustaining grounds for the lower courts' orders, arguments about public policy, unconscionability, real property law, and arbitrability under each State and Federal law – all complicated by a large record and a highly fact-dependent dispute involving numerous parties and disparate contractual circumstances. In doing so, Respondents found that they required several additional pages, beyond the fifty pages allotted by the rules.

Respondents therefore respectfully request that this Court would permit them to exceed the page limit for their Response Brief by five pages, and that the Court would accept their fifty-five page Brief, as filed.

Respectfully submitted,

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