

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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Oct 15 2025

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

S.C. SUPREME COURT

Appellate 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, as set forth herein, Respondents,

v.

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

MOTION TO EXCEED PAGE LIMIT FOR REPLY BRIEF

Petitioners, pursuant to Rule 208(b)(5), SCACR, respectfully move for an order permitting their reply brief to exceed the 25-page limit by seven pages. Petitioners are filing their reply brief, which is 32 pages long, contemporaneously with the filing of this

motion and respectfully request that the Court accept their brief as filed. In support of this motion, petitioners would show as follows:

1. Petitioners filed their 39-page opening brief on August 4, 2025.
2. By order dated August 18, 2025, the Court granted Respondents a 20-day extension of time to file their response brief.
3. Respondents filed their response brief on September 23, 2025, along with a motion for leave to exceed the length limitation by five pages. The Court granted Respondents' motion by order dated September 26, 2025. Respondents' brief is 55 pages long, and thus appears to exceed the length limitation by only five pages. However, Respondents' brief contains 39 footnotes, many of which contain substantive discussion and argument, and all of which are in a smaller type size than the text in the body of the brief.
4. On September 30, 2025, Petitioners filed a motion requesting a 12-day extension of time—until October 15, 2025—to file their reply brief. The Court granted Petitioners' motion by order dated October 1, 2025.
5. While Petitioners have endeavored to submit a reply brief that is as concise and succinct as possible, they have required additional pages beyond the length allotted by the rules for reply briefs.
6. As both sides have noted in previous motions, the issues in this appeal are both numerous and highly complex.
7. Moreover, and as noted by Petitioners in their motion for an extension of time to file their reply, Respondents' brief raises multiple new matters that must be

addressed in Petitioners' reply brief. For example, for the first time throughout the appeal process, Respondents are now contending that Petitioners failed to preserve certain issues and arguments for review. Additionally, Respondents' brief repeatedly describes statements in Petitioners' brief as "false" or "false and misleading." (E.g., Resps.' Br. at 3-4 & nn.4-6.) Additional pages must be devoted to responding to these serious allegations.

8. Petitioners were unable to adequately address these newly raised matters within the existing page limitation.

9. For the foregoing reasons, Petitioners respectfully request that they be permitted to exceed the page limit for their reply brief by seven pages.

CONCLUSION

For the reasons set forth above, Petitioners respectfully request entry of an order permitting them to exceed the length limitation for their reply brief by seven pages and that the Court accept their 32-page reply brief, as filed.

Respectfully submitted,

October 15, 2025
Columbia, South Carolina

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