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Oct 24 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2024-001510

Elizabeth M. Ferraro, James T. Ferraro, Edward J. Przybyl,
Marcella Gleie, John E. Gleie, Jr., Thomas Bowes, Connie
Bowes, Moataz Alasadi, Virginia Kirkwood, Bob Kirkwood,
Paul Vichroski, Nydza Vichroski, James Montellese, and
Roxann Montellese, Individually, Derivatively, and on Behalf of
All the Mount Vintage Homeowners Association Members Respondents,

v.

LL of SC, LLC, Raiford Topsail Island Investments, LLC, TR Sales
Plantation, LLC, and Mount Vintage Plantation Homeowners
Association, Inc. *a/k/a* Mount Vintage Homeowners Association, Inc. Defendants,

Of which LL of SC, LLC, Raiford Topsail Island
Investments, LLC, and TR Sales Plantation, LLC are the Appellants.

APPELLANTS’ MOTION FOR CONTINUANCE OF ORAL ARGUMENT

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*Attorney for Appellants LL of SC, LLC, Raiford
Topsail Island Investments, LLC, and TR Sales
Plantation, LLC*

PLEASE TAKE NOTICE THAT, pursuant to Rule 240, SCACR, the undersigned counsel for Appellants respectfully requests an Order from the Court which grants a continuance of the date for oral argument, which is presently scheduled for November 5, 2025. In furtherance of this Motion, Appellants would respectfully show as follows:

1. Contemporaneously with the filing of this Motion, Appellants have also filed a motion with the Court to compel Respondents to honor the terms of their settlement agreement, which was reached during a mediation that occurred on October 7, 2025, as reflected in a settlement memorandum that is compliant with Rule 43(k), SCRCR, and which Respondents appear to wish to renegotiate.

2. As referenced above, oral argument in these appellate proceedings is presently scheduled for November 5, 2025.

3. The settlement memorandum (which is attached to the Motion to Compel Settlement as **Attachment A**) expressly contemplates that Respondents would, among other things in furtherance of perfecting settlement, agree to dismiss these appellate proceedings as part of achieving a global dismissal with prejudice of the case.

4. To date, Respondents have not done anything in furtherance of honoring their settlement obligations and, as evidenced by **Attachment B** to the Motion to Compel Settlement, instead appear intent on renegotiating the settlement.

5. If it is the case that the parties have entered into a valid, binding, enforceable settlement agreement, as Appellants firmly believe, then the issues presented in this appeal are moot. Therefore, in aid of the jurisdiction of this Court and out of respect for its time,

Appellants respectfully suggest that a continuance of the oral argument scheduled for November 5 is proper so that the issue of the enforceability of the settlement agreement may be resolved.

WHEREFORE, Appellants respectfully request the entry of an Order that continues the date of oral argument beyond November 5, 2025, and which provides for any other relief that the Court deems just and proper.

Respectfully,

s/ Steven Edward Buckingham

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*Attorney for Appellants LL of SC, LLC, Raiford Topsail
Island Investments, LLC, and TR Sales Plantation, LLC*

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Of which LL of SC, LLC, Raiford Topsail Island
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PROOF OF SERVICE

The undersigned counsel for Appellants hereby certifies, subject to penalty of perjury, that the following document(s) was/were served upon the following counsel of record by the following means as of the date identified below.

- Document(s):**
- (1) Appellants’ Motion to Compel Settlement *w/ Attachments A & B;*
 - (2) Appellants’ Motion for Continuance of Oral Argument.

Counsel Served: For Respondents

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Courts Served: Office of the Clerk of the Court of Appeals
ctappfilings@sccourts.org

Means of Delivery: *Via Email Only*

With the Motion Filing Fees Being Sent Separately *Via U.S. Mail*
Post Office Box 11629
Columbia, SC 29211

Date: October 24, 2025

Respectfully,

s/ Steven Edward Buckingham

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