

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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Jan 20 2026

S.C. SUPREME COURT

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

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 FOR LEAVE TO FILE A RESPONSE TO AMICUS CURIAE BRIEF

Petitioners, pursuant to Rules 213 and 240, SCACR, respectfully submit this Motion for Leave to File a Response to Amicus Curiae Brief.

By order dated January 16, 2026, the Court granted the motion of the Public Investors Advocate Bar Association (“PIABA”) for leave to file an amicus curiae brief in

support of Respondents. The order did not set a deadline for the filing of a responsive brief by Petitioners. However, Rule 213, SCACR, provides:

If leave to file an amicus curiae brief is granted, the appellate court will specify the period in which a response to the brief may be filed.

The Court's order does not state that Petitioners may file a response to the amicus curiae brief, nor does it specify the period in which such a response may be filed.

A response to the amicus curiae brief is necessary so that Petitioners can address the arguments and authorities asserted by the PIABA, some of which are asserted for the first time in this litigation and others of which rely on inapposite authority. Because briefing was complete long before the amicus brief was filed, Petitioners have not otherwise been able to address the PIABA's arguments and authorities.

Given the length of the amicus curiae brief, the numerous cases cited, and the complexity of the issues in this appeal, Petitioners respectfully request that the Court grant a period of 30 days for the filing of a response brief, measured from the date of the Court's ruling on this motion.

CONCLUSION

For the reasons set forth above, Petitioners respectfully request entry of an order granting them a period of 30 days to file a response to the amicus curiae brief filed by the PIABA.

January 20, 2026
Columbia, South Carolina

Respectfully submitted,

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