

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

70562

APPEAL FROM OCONEE COUNTY  
Court of Common Pleas

Alexander S. Macaulay, Presiding Judge Seventh Judicial Circuit

Case No. 2009-CP-37-652

Stoneledge At Lake Keowee Owners' Association, Inc., C. Dan Carson, Jeffrey J. Dauler, Joan W. Davenport, Michael Furnari, Donna Furnari, Jessy B. Grasso, Nancy E. Grasso, Robert P. Hayes, Lucy H. Hayes, Ty Hix, Jennifer D. Hix, Paul W. Hund, III, Ruth E. Isaac, Michael D. Plourde, Mary Lou Plourde, Carol C. Pope, Steven B. Taylor, Bette J. Taylor, and Robert White, Individually and on Behalf of All others similarly situated.....Plaintiffs

IMK Development Co., LLC, Keowee Townhouses, LLC, Ludwig Corporation, LLC, SDI Funding, LLC, Medallion at Keowee, LLC, Integrys Keowee Development, LLC, Marick Home Builders, LLC, Bostic Brothers Construction, Inc., Miller/Player & Associates, John Ludwig, Clear View Construction, LLC, Michael Franz, MHC Contractors, Miguel Porras Choncoas, Builders First Source Southeast Group, Mike Green, Southern Concrete Specialties, Carl Compton d/b/a Compton Enterprize a/k/a Compton Enterprises, Gunter Heating & Air, All Pro Heating, A/C & Refrigeration, LLC, Coleman Waterproofing, Heyward Electrical Services, Inc., Tinsley Electrical, LLC, Hutch N Son Construction, Inc., Carl Catoe Construction, Inc., T.G. Construction, LLC, Delfino Construction, Francisco Javier Zarate d/b/a Zarate Construction, Alejandro Avalos Cruz, Herberto Acros Hernandez, Martin Hernandez-Aviles, Francisco Villalobos Lopez, Ambrosio Martinez-Ramirez, Ester Moran Mentado, Socorro Castillo Montel, Upstate Utilities, Inc., MJG Construction and Homebuilders, Inc. d/b/a MJG Construction, KMAC of the Carolinas, Inc., Eufacio Garcia, Everado Jarmamillo, Garcia Parra Insulation, Inc., J&J Construction, Jose Nino, Jose Manuel Garcia, Eason Construction, Inc., and Vincent Morales d/b/a Morales Masonry/Player & Associates, .....Defendants

Of Defendants, Marick Home Builders, LLC and Rick Thoennes .....Appellants,

Of Defendants, Builders FirstSource—Southeast Group, LLC, Southern Concrete Specialties, Inc., Clear View Construction, LLC and Michael Franz.....Respondents

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SC Court of Appeals

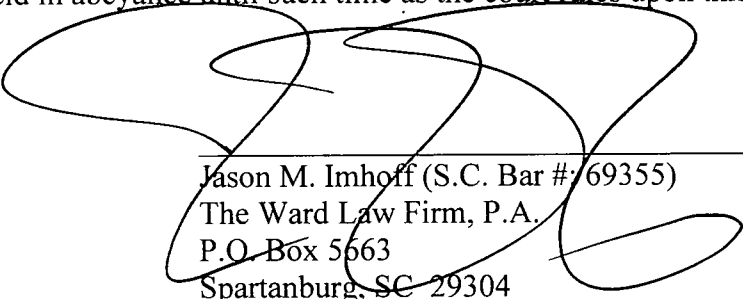
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MOTION FOR EXTENSION OF TIME

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Pursuant to Rule 263 of South Carolina Appellate Court Rules, the Appellant, Marick Home Builders, LLC and Rick Thoennes, hereby move for an extension of time in which to file their Initial Brief. The Appellants received the Transcript of Proceedings from the Court reporter on October 28, 2013. Appellants now seek a thirty day extension of time to file the Initial Brief and Designation of Matters on Appeal.

The Appellant asks that the Court grant this extension to December 27, 2013 and the deadline for this request be held in abeyance until such time as the court rules upon this Motion.



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ATTORNEYS FOR THE APPELLANTS

November 21, 2013

RESPONDENTS' COUNSEL OF RECORD:

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PROOF OF SERVICE

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I certify that I have served the Motion for Extension of Time on Respondents by depositing a copy of it in the United States Mail, First Class postage prepaid, on November 21, 2013, addressed to Respondents' attorneys of record, Lindsay L. Builder, Esquire, 127 Dunbar Street, Suite 200 Spartanburg, SC 29306 (attorney for Clear View Construction, LLC and Michael Franz), Mason A. Goldsmith, Esquire, PO Box 1887, Greenville, SC, 29602 (attorney for Southern Concrete Specialties), and David A. Root, Esquire, PO Box 13897, Charleston, SC, 29422 (attorney for Builders FirstSource)



Tiffany Pruitt

Paralegal to Jason M Imhoff

November 21, 2013

RESPONDENTS' COUNSEL OF RECORD:

Michael B.T. Wilkes, Esquire  
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\*ALSO MEMBER NORTH CAROLINA BAR

November 20, 2013

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11639  
Columbia, SC 29211

**Re: Stoneledge at Lake Keowee Owners' Association, Inc., et al. vs. IMK  
Development Co., LLC, et al. vs. Michael Franz, et al.  
Oconee County Case Number: 2009-CP-37-652**

Dear Ms. Kitchings,

Enclosed for filing is the original and seven (7) copies of Appellants' Motion for Extension of Time in which to file their Initial Brief. The current deadline was November 27, 2013.

The new deadline for Appellant to file their Initial Brief will be December 27, 2013 if the extension of time is granted. This request for an extension of time is warranted and has not been interposed to delay the case.

Also enclosed is our firm check in the amount of \$25.00 to cover the filing fee for the motion and the original and one copy of the Proof of Service upon opposing counsel.

Please file-stamp and return the extra copies in the envelope provided for your convenience. Opposing counsel is being served the same by copy of this letter.

Sincerely,

Jason M. Imhoff

JMI/tbp  
Enclosure

Cc: Michael B.T. Wilkes, Esquire  
David A. Root, Esquire

Mason A. Goldsmith, Esquire

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