

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED  
DEC 09 2013  
SC Court of Appeals

APPEAL FROM OCONEE COUNTY  
Court of Common Pleas

Alexander S. Macaulay, Presiding Judge Seventh Judicial Circuit

70609

Appellate Case No. 2013-001404

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, Integrity 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, Heriberto 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

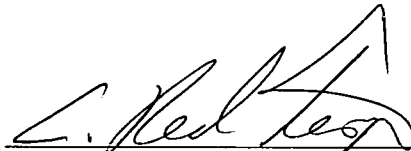
Of Defendants, Marick Home Builders, LLC and Rick Thoennes .....Appellants,

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

AMENDED MOTION FOR EXTENSION OF TIME

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.



Jason M. Imhoff (S.C. Bar #: 69355)

C. Reed Teague (SC Bar #: 79933)

The Ward Law Firm, P.A.

P.O. Box 5663

Spartanburg, SC 29304

Telephone (864) 582-3075

Facsimile (864) 585-3090

ATTORNEYS FOR THE APPELLANTS

December 4, 2013

RESPONDENTS' COUNSEL OF RECORD:

Michael B.T. Wilkes, Esquire

Lindsay L. Builder, Esquire

Wilkes Law Firm, PA

127 Dunbar Street, Suite 200

Spartanburg, SC 29306

*Attorneys for Respondents Clear View Construction, LLC and Michael Franz*

Mason A. Goldsmith, Esquire

Elmore Goldsmith, PA

PO Box 1887

Greenville, SC 29602

*Attorneys for Respondents Southern Concrete Specialties*

David A. Root, Esquire  
Kernodle, Root, & Coleman  
PO Box 13897  
Charleston, SC 29422  
*Attorneys for Respondents Builders FirstSource*

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED  
DEC 09 2013

APPEAL FROM OCONEE COUNTY  
Court of Common Pleas

SC Court of Appeals

Alexander S. Macaulay, Presiding Judge Seventh Judicial Circuit

Appellate Case No. 2013-001404

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

---

PROOF OF SERVICE

---

I certify that I have served the Amended Motion for Extension of Time on Respondents by depositing a copy of it in the United States Mail, First Class postage prepaid, on December 4, 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)



Amanda D. Steward  
Paralegal to Jason M Imhoff

December 4, 2013

RESPONDENTS' COUNSEL OF RECORD:

Michael B.T. Wilkes, Esquire  
Lindsay L. Builder, Esquire  
Wilkes Law Firm, PA  
127 Dunbar Street, Suite 200  
Spartanburg, SC 29306  
*Attorneys for Respondents Clear View Construction, LLC and Michael Franz*

Mason A. Goldsmith, Esquire  
Elmore Goldsmith, PA  
PO Box 1887  
Greenville, SC 29602  
*Attorneys for Respondents Southern Concrete Specialties*

David A. Root, Esquire  
Kernodle, Root, & Coleman  
PO Box 13897  
Charleston, SC 29422  
*Attorneys for Respondents Builders FirstSource*

# THE WARD LAW FIRM, P.A.

ATTORNEYS AT LAW  
POST OFFICE BOX 5663  
SPARTANBURG, SOUTH CAROLINA 29304

JAMES W. HUDGENS †  
GENE ADAMS †  
H. SPENCER KING •  
ROBERT E. DAVIS\*  
JASON M. IMHOFF  
JOHN E. ROGERS, II\*  
C. REED TEAGUE  
CHAD M. GRAHAM

† OF COUNSEL  
• CERTIFIED MEDIATORS  
\*ALSO MEMBER NORTH CAROLINA BAR

RUFUS M. WARD (1908-1988)  
L. PAUL BARNES (1931-1986)

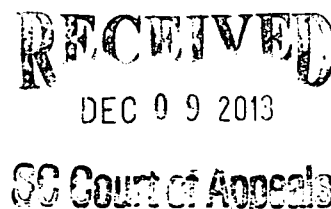
233 SOUTH PINE STREET  
SPARTANBURG, S.C. 29302

OFFICE NO. (864) 573-8500  
FAX NO. (864) 585-3090  
E-mail: jimhoff@wardfirm.com

Direct No. 864-582-3075

December 4, 2013

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
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.***  
***Appellate Case No. 2013-001404***

Dear Ms. Kitchings,

Enclosed for filing is the original and seven (7) copies of Appellants' Amended Motion for Extension of Time in which to file their Initial Brief. The current deadline was November 27, 2013. The reason why we are refileing this motion is to correct the case number.

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. Additionally, an extension request was sent and received by the court prior to November 27, 2013.

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,

A handwritten signature in black ink, appearing to read "C. Reed Teague". The signature is fluid and cursive, with a large, sweeping flourish at the end.

C. Reed Teague

CRT/ads

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
December 4, 2013  
Page 2

Enclosure

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

Mason A. Goldsmith, Esquire