

RECEIVED

FEB 18 2014

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

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

**MOTION FOR EXTENSION OF TIME TO FILE RESPONDENTS' INITIAL BRIEF
AND DESIGNATION OF MATTER**

Respondents Clear View Construction, LLC and Michael Franz hereby move the Court for an Order extending the time for Respondents to file their Initial Brief and Designation of Matter by thirty (30) days until March 19, 2014. The original due date is February 16, 2014 (February 18, 2014 with adjustment pursuant to Rules 262 and 263, SCACR). This Motion is made on the grounds that counsel for Respondents needs additional time to compile file materials and research applicable case law. Appellants' counsel, Jason Imhoff, has kindly consented to the Motion.

Respectfully submitted,



Michael B.T. Wilkes (SC Bar #: 6107)
Lindsay L. Builder (SC Bar #: 81764)
Wilkes Law Firm, P.A.
127 Dunbar Street, Suite 200
Spartanburg, SC 29306

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

Dated: February 14, 2014

Spartanburg, South Carolina

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

FEB 18 2014

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

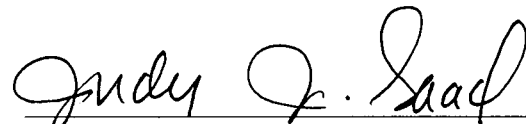
IMK Development Co., LLC, Keowee Townhouses, LLC, Ludwig Corporation, LLC, SDI Funding, LLC, Medallion at Keowee, LLC, Integrys Keowee Development, LLC, Marick Home Builders, LLC, Bostic Brothers Construction, Inc., Miller/Player & Associates, John Ludwig, Clear View Construction, LLC, Michael Franz, 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 *Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter* by depositing a copy of it in the United States Mail, First Class postage prepaid, on February 14, 2014, addressed to Appellants' and Respondents' attorneys of record, as noted below:



Judy J. Saad, Paralegal

Jason M. Imhoff, Esquire.
C. Reed Teague, Esquire
The Ward Law Firm, P.A.
PO Box 5663
Spartanburg, SC 29304
jimhoff@wardfirm.com
*Attorneys for Appellant Marick Home Builders, LLC
and Rick Thoennes*

Mason A. Goldsmith, Esquire
Elmore Goldsmith, P.A.
PO Box 1887
Greenville, SC 29602
mag@elmoregoldsmith.com
*Attorneys for Respondents Southern Concrete
Specialties*

David A. Root, Esquire
Kernodle, Root & Coleman
PO Box 13897
Charleston, SC 29422
droot@kernodlelaw.com
*Attorneys for Respondents Builders FirstSource
Southeast Group, LLC and Mike Green*

Robert T. Lyles, Jr., Esquire
Lyles & Lyles, LLC
PO Box 773
Charleston, SC 29401
rtl@lylesfirm.com

WILKES LAW FIRM P.A.

MICHAEL B.T. WILKES*
MATTHEW E. COX*
ELLEN S. CHEEK*
J. DERHAM COLE, JR.
ELIZABETH F. BAILEY*
C. DANIEL ATKINSON*
DEREK M. NEWBERRY*
LINDSAY L. BUILDER*

•CHARLESTON OFFICE
•ALSO MEMBER GEORGIA BAR
•ALSO MEMBER NORTH CAROLINA BAR
•ALSO MEMBER VIRGINIA BAR
•ALSO MEMBER D.C. BAR

WILKES LAW FIRM, P.A.
Reply to: SPARTANBURG OFFICE
127 DUNBAR STREET, SUITE 200
SPARTANBURG, SOUTH CAROLINA 29306
864.591.1113
TOLL FREE 866.920.1113
FAX 864.591.1767

CHARLESTON OFFICE
200 MEETING STREET, SUITE 205
CHARLESTON, SOUTH CAROLINA 29401
843.737.6229

WWW.WILKESLAW.COM

February 14, 2014

Via U.S. Mail

The Honorable V. Claire Allen
Deputy Clerk
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED

FEB 18 2014

SC Court of Appeals

Re: *Stoneledge v. IMK Development (Marick & Theonnes v. Clear View Construction and Michael Franz)*
Appellate Case Number: 2013-001404

Dear Ms. Allen:

Enclosed please find for filing the original and seven (7) copies of Respondent's Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter in the above captioned appeal. Please file the original and six (6) copies and return a clocked copy to me in the enclosed self-addressed stamped envelope provided for your convenience.

By copy of this correspondence, all counsel of record are being provided this Motion by mail and email.

Sincerely,



Lindsay L. Builder, Esq.
lbuilder@wilkeslaw.com

LLB:js
Enclosure
Cc: Counsel of Record

2/14/2014

FedEx Ship Manager - Print Your Label(s)

From: (864) 591-1113
Michael Wilkes

Origin ID: SPAA

FedEx
Express

127 Dunbar Street, Suite 200
Spartanburg, SC 29306

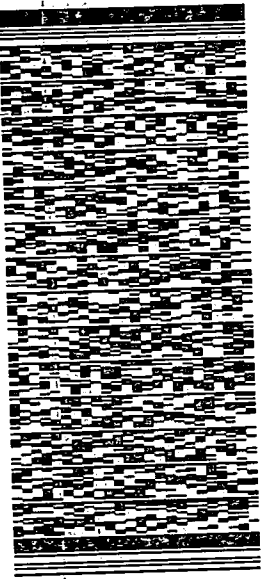


J14101312270326

SHIP TO: (803) 734-1890
The Honorable V. Claire Allen
South Carolina Court of Appeals
1015 Sumter Street

BILL SENDER

COLUMBIA, SC 29201



Ship Date: 14FEB14
ActWgt: 1.0 LB
CAD: 104094669/NET3490

Dims: 11 X 14 X 1 IN

Delivery Address Bar Code



Ref # 2012-019
Invoice #
PO #
Dept #

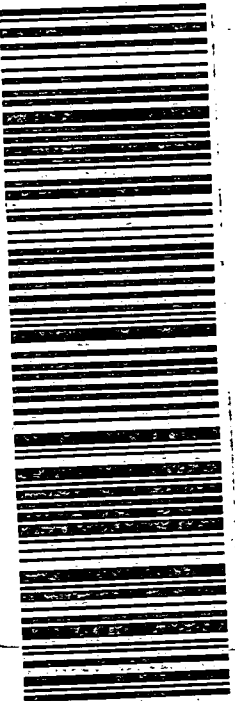
SATURDAY 9:30A
FIRST OVERNIGHT

TRK# 7979 2386 7926
0201

29201

SC-US
CAE

XO USCA



FedEx
Express

FO

FedEx First Overnight®

147918 REV 8/08 RRD

