

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM OCONEE COUNTY
Court of Common Pleas

MAR 17 2014

Alexander S. Macaulay, Presiding Judge Seventh Judicial District

SC Court of Appeals

71583

Appellate Case No. 2013-001401

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, Herberito Arcos 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 Jaramillo, 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, Carl Catoe Construction, Inc. and Catoe's Subcontractors T.G. Construction, LLC, Martin Hernandez-Aviles, Ester Moran Mentado, Herberito Arcos Hernandez, Francisco Javier Zarate d/b/a Zarate Construction ("Zarate Construction"), Alejandro Avalos Cruz, Francisco Villalobos Lopez, and Socorro Castillo Montel..... Respondents

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

Respondent Carl Catoe Construction, Inc. hereby moves the Court for an Order extending the time for Respondents to file their Initial Brief by 30 days until April 18, 2014. This Motion is made on the grounds that counsel for Respondents need additional time to compile file materials and research applicable case law. Appellant's counsel, Jason Imhoff, has kindly consented to the Motion.

Respectfully submitted,

WOMBLE CARLYLE SANDRIDGE & RICE, LLP



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March 14, 2014
Charleston, South Carolina

Attorneys for Carl Catoe Construction, Inc.

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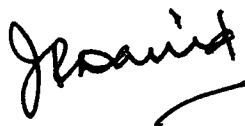
Of Defendants, Marick Home Builders, LLC and Rick Thoennes..... Appellants,

Of Defendants, Builders FirstSource—Southeast Group, Carl Catoe Construction, Inc. and Catoe's Subcontractors T.G. Construction, LLC, Martin Hernandez-Aviles, Ester Moran Mentado, Herberto Arcos Hernandez, Francisco Javier Zarate d/b/a Zarate Construction ("Zarate Construction"), Alejandro Avalos Cruz, Francisco Villalobos Lopez, and Socorro Castillo Montel..... Respondents

CERTIFICATE OF MAILING

I certify that I have served a copy of MOTION FOR SECOND EXTENSION OF TIME TO FILE RESPONDENTS' INITIAL BRIEF AND DESIGNATION OF MATTER by depositing a copy in the United States Mail, postage prepaid on March 14, 2014, to the following Counsel of Record listed on the next page.

WOMBLE CARLYLE SANDRIDGE & RICE, LLP



Joseph R. David
Paralegal to Greg Horton, Esquire

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<p>Robert T. Lyles, Jr., Esquire Lyles & Lyles, LLC P. O. Box 773 Charleston, SC 29401 <i>Attorneys for Plaintiffs</i></p>	<p>Jason M. Imhoff C. Reed Teague The Ward Law Firm, PA PO Box 5663 Spartanburg, SC 29304 <i>Attorneys for Appellants Marick Home Builders, LLC and Rick Thoennes</i></p>
<p><u>RESPONDENTS' COUNSEL OF RECORD:</u></p>	
<p>David A. Root, Esquire Kernold, Root, & Coleman PO Box 13897 Charleston, SC 29422 <i>Attorneys for Respondent Builders FirstSource</i></p>	<p>Elizabeth Martineau, Esquire Eric W. Rowell, Esquire Martineau King, PLLC PO Box 31188 Charlotte, NC 28231 <i>Attorneys for Respondent Herberito Acros Hernandez</i></p>
<p>Ronald G. Tate, Jr., Esquire Stephen E. Buckingham, Esquire Duffie Powers, Esquire Batten Farrar, Esquire Gallivan White & Boyd, P A PO Box 10589, Greenville, SC 29603 <i>Attorneys for Respondent Carl Catoe Construction, Inc.</i></p>	<p>Finley B. Clarke, Esquire Clarke Johnson Peterson McLean, PA PO Box 1865, Florence, SC 29503 <i>Attorneys for Respondent Francisco Javier Zarate d/b/a Zarate Construction</i></p>
<p>K. Lindsay Terrell, Esquire Chris Smith, Esquire Clarkson, Walsh, Rheney, & Terrell, PA 1164 Woodruff Road Greenville, SC 29607 <i>Attorneys for Respondent TG Construction, LLC</i></p>	<p>Paul E. Hammack, Esquire Andrew F. Carson, Esquire Clawson & Staubes, LLC 223 West Stone Avenue, Suite 100 Greenville, SC 29609 <i>Attorneys for Respondent Alejandro Avalos Cruz</i></p>
<p>D. Andrew Williams, Esquire Joshua D. Shaw, Esquire Turner Padget Graham & Laney, P A PO Box 1473, Columbia, SC 29202 <i>Attorneys for Respondent Martin Hernandez-Aviles</i></p>	<p>Christopher G. Lewis, Esquire Teague Campbell Dennis & Laney, PA 22 South Park Square, Suite 800 Asheville, NC 28801 <i>Attorneys for Respondent Francisco Villalobos Lopez</i></p>
<p>Steven P. Hughes, Esquire William T. Young, Esquire Howell Gibson & Hughes, PA PO Box 40, Beaufort, SC 29901 <i>Attorneys for Respondent Ester Moran Mentado</i></p>	<p>Geoffrey Gibbon, Esquire Thomas Chase, Esquire McAngus Goudelock & Courier PO Box 2980, Greenville, SC 29602 <i>Attorneys for Respondent Socorro Castillo Montel</i></p>

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March 14, 2014

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South Carolina Court of Appeals
1015 Sumter Street [P.O. Box 11629]
Columbia, SC 29201 [Columbia, SC 29211]
Ph.: (803) 734-1890; Fax.: (803) 734-1839

Re: Appeal of Stoneledge at Lake Keowee Owners' Association, Inc., et al.
Appellate Case No: 2013-001401; CP Case No.: 2009-CP-37-0652
WCSR File No: 77949.0009.0

Dear Court of Appeals:

Please find the following enclosed in the above-referenced appellate matter:

1. Motion for Second Extension of Time to File Respondents' Initial Brief and Designation of Matter (one original and eight copies); and
2. WCSR Check No.: 1300005029 which represents your filing fee for #1

Please date-stamp the additional copies and return it to us in the enclosed self-addressed, FedEx envelope (7959 0910 7454).

I thank you in advance for your assistance and if you have any questions, please do not hesitate to call or write. With Kind Regards, I Remain

Very Respectfully,

WOMBLE CARLYLE SANDRIDGE & RICE, LLP

Joseph R. David, Paralegal

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LGH/mmm
Enclosures as stated:

cc: All counsel of record

SC Court of Appeals

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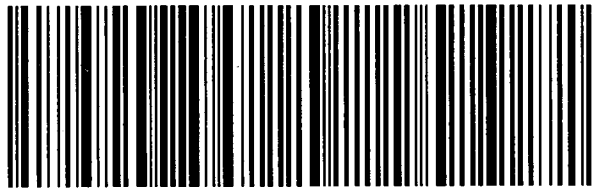
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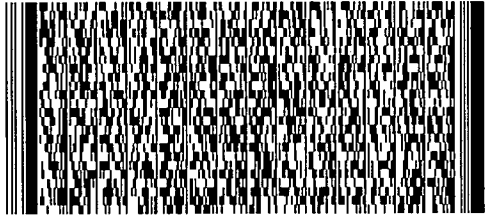
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