

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM THE OCONEE COUNTY
Court of Common Pleas

SC Court of Appeals

11616

The Honorable Alexander S. Macaulay

Appellate Case No. 2013-01401

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,

v.

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., SOUTHERN BASEMENTS, INC., MJG CONSTRUCTION AND HOMEBUILDERS, INC. D/B/A MJG CONSTRUCTION, KMAC, INC., D/B/A KMAC NORTH CAROLINA, 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,.....Defendants

Of whom Marick Home Builders, LLC and Rick Thoennes are theAppellants,

and

Builders First Source 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 are theRespondents.

Bostic Construction, Inc.,Third Party Plaintiffs,

v.


Southern Stone, Inc., and Buck Smith Construction,Third Party Defendants.

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

Respondents, Builders First Source-Southeast Group, 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, hereby move the Court for an Order extending the time for Respondents to file their Initial Brief by thirty (30) days until April 18, 2014. Respondents request a second extension to coordinate the filing of their brief with Co-counsel Gregory Horton and Matthew Tillman, counsel for Respondent Carl Catoe Construction Company, who filed a Second Motion for a Extension of Time on March 14, 2014. To avoid duplication of efforts, and seek economy of resources, these Respondents will be preparing the Initial Briefs and Designation of the Record together; therefore Respondents herein request a second extension to file the Initial Brief to April 18, 2014.

Respectfully submitted,

LYLES & LYLES, LLC

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COUNSEL FOR RESPONDENTS

March 18, 2014

Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
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APPEAL FROM THE OCONEE COUNTY
COURT OF COMMON PLEAS

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THE HONORABLE ALEXANDER S. MACAULAY

APPELLATE CASE No. 2013-01401

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,

v.

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., SOUTHERN BASEMENTS, INC., MJG CONSTRUCTION AND HOMEBUILDERS, INC. D/B/A MJG CONSTRUCTION, KMAC, INC., D/B/A KMAC NORTH CAROLINA, 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,..... DEFENDANTS,

OF WHOM MARICK HOME BUILDERS, LLC AND RICK THOENNES ARE THE APPELLANTS,
AND

BUILDERS FIRST SOURCE 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 ARE THE RESPONDENTS.

BOSTIC CONSTRUCTION, INC., THIRD PARTY PLAINTIFFS,

v.

SOUTHERN STONE, INC., AND BUCK SMITH CONSTRUCTION, THIRD PARTY DEFENDANTS.

PROOF OF SERVICE

I certify that I have served the Second Motion for Extension of Time to File Respondents' Initial Brief and Designation of Matter on all counsel of record by delivering same electronically, via email, or in the alternative by depositing a copy of it in the United States Mail, First Class postage prepaid, this 18th day of March, 2014 addressed to the following:

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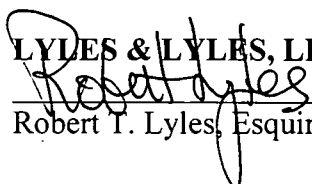
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March 18, 2014

VIA FEDERAL EXPRESS

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

Re: *Stoneledge vs. IMK Development (Marick v. Builders-First Source)*
Appellate Case Number: 2013-01401

Dear Clerk:

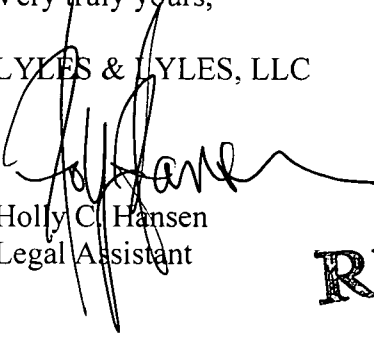
Enclosed you will please find the original and seven (7) copies of Respondents Second Motion for Extension of Time to File Initial Brief and Designation of Matter, along with our firm check #3392 in the amount of \$25.00 as the filing fees for said Motion. Please cause the original and six (6) copies to be filed with the court, and return the extra stamped clocked copy to me in the enclosed, self-addressed and stamped envelope provided for your convenience herein.

By copy of this letter I am providing the enclosure to all counsel of record by mail as set forth in the Proof of Service included with the motion.

Thank you, and with kindest regards, I remain

Very truly yours,

LYLES & LYLES, LLC


Holly C. Hansen
Legal Assistant

HCH
Enclosures
cc: Counsel of Record

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MAR 19 2014

SC Court of Appeals

FedEx Package Express
Tracking Number 8055 6065 6090

1 From 3/8/14
Date 3/8/14
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Company LYLES AND LYLES LAW OFFICE
Address 342 FAY ST
City CHARLESTON State SC ZIP 29401-1591
Phone 843 577-7730
Depu./Floor/Suite/Rm

2 Your Internal Billing Reference Stoneledge - 2013-14DL22013-1404
MARICK APPEALS

3 To Recipient's Name CLAIRE ALLEN, Clerk Phone 803 734-1890
Company S.C. Court of Appeals
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We cannot deliver to P.O. boxes or P.O. ZIP codes.
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Next Business Days
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FedEx First Overnight
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 FedEx 2Day A.M.
Second business morning. *Saturday Delivery NOT available.

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 No Signature Required
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Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.
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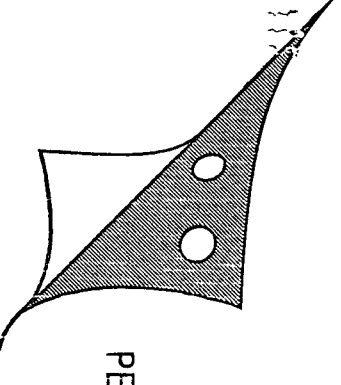
7 Payment Bill to:
Sender Account No. in Section _____
Recipient _____
Third Party _____
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Cash/Check _____
Enter FedEx Acct. No. or Credit Card No. below.
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 4. Adhere Airbill to front of package.
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