

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

J. C. Nicholson, Jr., Circuit Court Judge

Case No.'s 2009-CP-08-1068, 2009-CP-08-1413,
2008-CP-08-2714, 2009-CP-08-3916

74117

DANIEL ISLAND RIVERSIDE
DEVELOPERS,
LLC, and CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,

Plaintiffs,

vs.

WEATHER SHIELD
MANUFACTURING, INC.,
THE MUHLER CO., INC., and
A.C. CONSTRUCTION, INC.,

Defendants.

A.C. CONSTRUCTION, INC.,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE
DEVELOPERS,
LLC, and TRAVELERS
CASUALTY AND SURETY
COMPANY OF AMERICA,

Defendants.

RECEIVED

NOV 10 2014

SC Court of Appeals

GEOFFREY C. CIPKALA and
SAMUEL C. AGEE, as tenants in
common of the common elements
of the Oaks at River's Edge
Horizontal Property Regime and on
behalf of themselves and all other
tenants in common,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC,
CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,
CARRIAGE HILL
ASSOCIATES, INC.,

Defendants.

THE OAKS AT RIVERS EDGE
PROPERTY OWNERS
ASSOCIATION, INC., JOHN E.
ATKINSON, JOAN D.
STRANDQUIST, JOSEPH E.
CHIOVAROU, JR., PEYTON H.
COOK, JR., BRENDA COOK,
JOHN W. EDELEN, KAREN A.
NELSON, ROBERT J. GRAHAM,
MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
for the Nancy K. Johnson
Revocable Trust, WILLIAM JUNG,
CHARLES MARAZITI,
PATRICIA MARAZITI, GEORGE
S. POLLARD, ELEANOR J.
POLLARD, ROBERT REECE,
GERARD M. RUVO AND SUE S.
RUVO as trustees for the Ruvo
2006 Living Trust, CAROLYN M.
JENNINGS, THOMAS EDWARD
KEANE, EDWARD WALLACE
BARR, III, RICHARD B.
PEKRUHN, PAULINE
PEKRUHN, MATTHEW J.

SEVERANCE, and ELIZABETH
ASHLEY PHILLIPS
SEVERANCE,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC,
CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,
CARRIAGE HILL
ASSOCIATES, INC.,
WEATHER SHIELD
MANUFACTURING, INC.,
THE MUHLER CO., INC., A.C.
CONSTRUCTION, INC.,
COASTAL ROOFING, CO.,
INC., COASTAL CAULKING,
INC., MIKE PHILLIPS d/b/a
MIKE PHILLIPS MASONRY,
GERALD RUMPLICK,
EDWARD J. D’ORAZIO, and
RICH BEHRINGER,

Defendants.

Of Whom

THE OAKS AT RIVERS EDGE
PROPERTY OWNERS
ASSOCIATION, INC., JOHN E.
ATKINSON, JOAN D.
STRANDQUIST, JOSEPH E.
CHIOVAROU, JR., PEYTON H.
COOK, JR., BRENDA COOK,
JOHN W. EDELEN, KAREN A.
NELSON, ROBERT J. GRAHAM,
MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
for the Nancy K. Johnson
Revocable Trust, WILLIAM JUNG,
CHARLES MARAZITI,
PATRICIA MARAZITI, GEORGE
S. POLLARD, ELEANOR J.
POLLARD, ROBERT REECE,

GERARD M. RUVO AND SUE S.
RUVO as trustees for the Ruvo
2006 Living Trust, CAROLYN M.
JENNINGS, THOMAS EDWARD
KEANE, EDWARD WALLACE
BARR, III, RICHARD B.
PEKRUHN, PAULINE
PEKRUHN, MATTHEW J.
SEVERANCE, and ELIZABETH
ASHLEY PHILLIPS
SEVERANCE, are,

Respondents

And

Of Whom

DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC, CARRIAGE
HILL ASSOCIATES OF
CHARLESTON, LLC, are

Appellants.

RECEIVED
NOV 10 2014
SC Court of Appeals

MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF
MATTER FOR RECORD ON APPEAL

Counsel for Appellants, Daniel Island Riverside Developers, LLC, and Carriage Hill Associates of Charleston, LLC, (hereinafter “Appellants”) respectfully move this Court to extend the time for filing Appellants’ initial brief and designation of matter to be included in the record on appeal for the above-captioned case pursuant to Rules 240, 263(b), and 267 of the South Carolina Appellate Court rules based on the following circumstances:

1. The trial transcript consists of 4 separate volumes, totaling 1,044 pages, in addition to the transcript from the post-trial motion hearing of 62 pages. The orders being appealed consists of 43 pages.

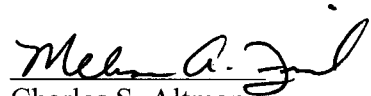
2. The Notice of Appeal was served on Friday, October 31, 2014. The deadline for Appellants to file their initial briefs and designation of matters to be include in the record on appeal is Monday, December 1, 2014.

3. Due to Thanksgiving holidays, the Christmas holidays, the length of the transcripts, the length of the orders being appealed, and counsel's current workload, it will cause a great hardship to Appellants to meet the December 1, 2014 deadline.

Based on the circumstances above, Appellants respectfully move for an extension to file their initial brief and designation of the matter to be included in the record on appeal by Friday, January 30, 2015.

Respectfully submitted,

November 7, 2014


Charles S. Altman
Meredith L. Coker
Melissa A. Fried
ALTMAN & COKER, LLC
575 King Street, Suite A
Charleston, SC 29403
T: (843) 853-9907
F: (843) 853-9838

Roy P. Maybank
Amanda Maybank
MAYBANK LAW FIRM, LLC
531 Savannah Highway
Post Office Box 12579
Charleston, South Carolina 29422
T: (843) 766-8101
F: (843) 766-8102
Attorneys for Appellants

Other Counsel of Record:
W. H. Bundy, Jr.
M. Brent McDonald
Post Office Box 1542
Mt. Pleasant, South Carolina 29465-1542
(843) 881-162
Attorneys for Respondents

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

J. C. Nicholson, Jr., Circuit Court Judge

Case No.'s 2009-CP-08-1068, 2009-CP-08-1413,
2008-CP-08-2714, 2009-CP-08-3916

DANIEL ISLAND RIVERSIDE
DEVELOPERS,
LLC, and CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,

Plaintiffs,

vs.

WEATHER SHIELD
MANUFACTURING, INC.,
THE MUHLER CO., INC., and
A.C. CONSTRUCTION, INC.,

Defendants.

A.C. CONSTRUCTION, INC.,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE
DEVELOPERS,
LLC, and TRAVELERS
CASUALTY AND SURETY
COMPANY OF AMERICA,

Defendants.

GEOFFREY C. CIPKALA and
SAMUEL C. AGEE, as tenants in
common of the common elements
of the Oaks at River's Edge
Horizontal Property Regime and on
behalf of themselves and all other
tenants in common,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE

RECEIVED

NOV 10 2014

SC Court of Appeals

DEVELOPERS, LLC,
CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,
CARRIAGE HILL
ASSOCIATES, INC.,

Defendants.

THE OAKS AT RIVERS EDGE
PROPERTY OWNERS
ASSOCIATION, INC., JOHN E.
ATKINSON, JOAN D.
STRANDQUIST, JOSEPH E.
CHIOVAROU, JR., PEYTON H.
COOK, JR., BRENDA COOK,
JOHN W. EDELEN, KAREN A.
NELSON, ROBERT J. GRAHAM,
MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
for the Nancy K. Johnson
Revocable Trust, WILLIAM JUNG,
CHARLES MARAZITI,
PATRICIA MARAZITI, GEORGE
S. POLLARD, ELEANOR J.
POLLARD, ROBERT REECE,
GERARD M. RUVO AND SUE S.
RUVO as trustees for the Ruvo
2006 Living Trust, CAROLYN M.
JENNINGS, THOMAS EDWARD
KEANE, EDWARD WALLACE
BARR, III, RICHARD B.
PEKRUHN, PAULINE
PEKRUHN, MATTHEW J.
SEVERANCE, and ELIZABETH
ASHLEY PHILLIPS
SEVERANCE,

Plaintiffs,

vs.

DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC,
CARRIAGE HILL
ASSOCIATES OF
CHARLESTON, LLC,
CARRIAGE HILL
ASSOCIATES, INC.,
WEATHER SHIELD

MANUFACTURING, INC.,
THE MUHLER CO., INC., A.C.
CONSTRUCTION, INC.,
COASTAL ROOFING, CO.,
INC., COASTAL CAULKING,
INC., MIKE PHILLIPS d/b/a
MIKE PHILLIPS MASONRY,
GERALD RUMPLICK,
EDWARD J. D'ORAZIO, and
RICH BEHRINGER,

Defendants.

Of Whom

THE OAKS AT RIVERS EDGE
PROPERTY OWNERS
ASSOCIATION, INC., JOHN E.
ATKINSON, JOAN D.
STRANDQUIST, JOSEPH E.
CHIOVAROU, JR., PEYTON H.
COOK, JR., BRENDA COOK,
JOHN W. EDELEN, KAREN A.
NELSON, ROBERT J. GRAHAM,
MAUREEN S. GRAHAM,
NANCY K. JOHNSON as trustee
for the Nancy K. Johnson
Revocable Trust, WILLIAM JUNG,
CHARLES MARAZITI,
PATRICIA MARAZITI, GEORGE
S. POLLARD, ELEANOR J.
POLLARD, ROBERT REECE,
GERARD M. RUVO AND SUE S.
RUVO as trustees for the Ruvo
2006 Living Trust, CAROLYN M.
JENNINGS, THOMAS EDWARD
KEANE, EDWARD WALLACE
BARR, III, RICHARD B.
PEKRUHN, PAULINE
PEKRUHN, MATTHEW J.
SEVERANCE, and ELIZABETH
ASHLEY PHILLIPS
SEVERANCE, are,

Respondents,

And

Of Whom

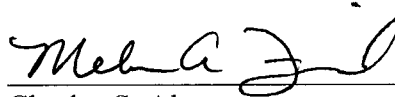
DANIEL ISLAND RIVERSIDE
DEVELOPERS, LLC, CARRIAGE
HILL ASSOCIATES OF
CHARLESTON, LLC, are

Appellants.

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time to File Initial Brief and Designation of Matter for Record on Appeal on Respondents by depositing a copy of it in the United States Mail, postage prepaid, on November 7, 2014, addressed to its attorneys of record, W.H. Bundy, Jr., Esquire, and M. Brent McDonald, Esquire, Smith, Bundy, Bybee & Barnett, P.C., Post Office Box 1542, Mt. Pleasant, South Carolina 29465-1542.

November 7, 2014



Charles S. Altman
Meredith L. Coker
Melissa A. Fried
ALTMAN & COKER, LLC
575 King Street, Suite A
Charleston, SC 29403
T: (843) 853-9907
F: (843) 853-9838

Roy P. Maybank
Amanda Maybank
MAYBANK LAW FIRM, LLC
531 Savannah Highway
Post Office Box 12579
Charleston, South Carolina 29422
T: (843) 766-8101
F: (843) 766-8102

Attorneys for Appellants

RECEIVED

NOV 10 2014

SC Court of Appeals



Melissa A. Fried
mfried@altmancoker.com

November 7, 2014

VIA UPS DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RE: The Oaks at Rivers Edge Proper Owners Association, et.al, Respondents, v. Daniel Island Riverside Developers, LLC, et. al, Appellants, Case No.'s 2009-CP-08-1068, 2009-CP-08-1413, 2008-CP-08-2714, 2009-CP-08-3916
Our File No.: 141-62999

Dear Ms. Kitchings:

Enclosed for filing are the following:

- (1) Motion for Extension of Time to File Initial Brief and Designation of Matter for Record on Appeal (1 original and 6 copies)
- (2) Proof of service of the Motion for Extension of Time to File Initial Brief and Designation of Matter for Record on Appeal on the respondents
- (3) A filing fee of \$25.

Sincerely,

Charles S. Altman
Meredith L. Coker
Melissa A. Fried
ALTMAN & COKER, LLC
575 King Street, Suite A
Charleston, SC 29403
(843) 853-9907

RECEIVED

NOV 10 2014

SC Court of Appeals

AND

Roy P. Maybank
Amanda Maybank
MAYBANK LAW FIRM, LLC
531 Savannah Highway
Post Office Box 12579
Charleston, South Carolina 29422
T: (843) 766-8101
F: (843) 766-8102

Attorneys for Appellants

cc: W. H. Bundy, Jr.

M. Brent McDonald

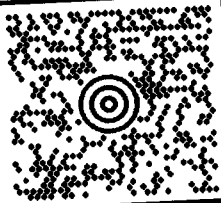



Post Office Box 1542

Mt. Pleasant, South Carolina 29465-1542

(843) 881-1623

Attorneys for Respondents

<https://www.ups.com/uis/create?ActionOriginPair=default> Print Window Page & key=lab... 11/7/2014

RACHEL A. MEYER 843-853-9907 ALTMAN & COKER, LLC 575 KING STREET CHARLESTON SC 29403		0.0 LBS LTR	1 OF 1
SHIP TO: CLERK, SC COURT OF APPEALS HONORABLE JENNY ABBOTT KITCHINGS 1015 SUMTER STREET COLUMBIA SC 29201-3726			
	SC 292 9-01 		
UPS 2ND DAY AIR		2	
TRACKING #: 1Z 25W R31 02 9223 6135			
			
BILLING: P/P			
Reference#1: 62999			
<small>UIS 16.7.04. WNTIE100 57.0A 10/2014</small>			

RECEIVED
NOV 10 2014
SC Court of Appeals