

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

DEC 03 2014

APPEAL FROM THE OCONEE COUNTY  
Court of Common Pleas

**SC Court of Appeals**

The Honorable Alexander S. Macaulay

**Appellate Case No. 2013-01404**

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, HUTCHINSON 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 KMCA 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 DEFENDANTS MARICK HOME BUILDERS, LLC, AND RICK THOENNES.....APPELLANTS.

OF DEFENDANTS, BUILDERS FIRST SOURCE-SOUTHEAST GROUP, LLC, SOUTHERN CONCRETE SPECIALTIES, INC., CLEAR VIEW CONSTRUCTION, LLC AND MICHAEL FRANZ,..... RESPONDENTS.

BOSTIC CONSTRUCTION INC., THIRD-PARTY PLAINTIFFS.

**MOTION TO FILE RESPONDENTS BUILDERS FIRSTSOURCE-SOUTHEAST GROUP AND SOUTHERN CONCRETE SPECIALTIES, INC.'S FINAL BRIEF OUT OF TIME**

Respondents Builders First Source-Southeast Group, LLC, Southern Concrete Specialties, Inc., hereby move the Court for an Order extending the time for Respondents to file their Final Brief. Final Briefs were due on October 13, 2014. Due to a miscalculation in calendaring the Final Brief deadline, Respondents filed their Final Brief on October 29, 2014. Respondents respectfully request that the Final Brief filed on October 29, 2014 be submitted for consideration.

Respectfully submitted,

**LYLES & LYLES, LLC**

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December 2, 2014  
Charleston, South Carolina

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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, HUTCHINSON 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 KMCA 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 DEFENDANTS MARICK HOME BUILDERS, LLC, AND RICK THOENNES, ..... APPELLANTS,

OF DEFENDANTS, BUILDERS FIRST SOURCE-SOUTHEAST GROUP, LLC, SOUTHERN CONCRETE SPECIALTIES, INC., CLEAR VIEW CONSTRUCTION, LLC, AND MICHAEL FRANZ, .....RESPONDENTS.

BOSTIC CONSTRUCTION INC., THIRD-PARTY PLAINTIFFS.

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**PROOF OF SERVICE**

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I certify that I have served the Motion to File Respondents Builders Firstsource-Southeast Group and Southern Concrete Specialties, Inc.'s Final Brief Out Of Time on all counsel of record by depositing same in the United States Mail, First Class with sufficient postage affixed thereto, this 2nd day of December, 2014, addressed to the following:

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December 2, 2014

**VIA FEDERAL EXPRESS**

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

74349

Re: *Stoneledge vs. IMK Development (Marick v. Builders-First Source)*  
**Appellate Case Number: 2013-01404**

Dear Clerk:

Enclosed you will please find the original and seven (7) copies of Respondents' Motion to File their Final Brief Out of Time, along with our firm check 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

*Brooke Trevino*

Brooke Trevino

/bt  
Enclosures  
cc: Counsel of Record

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