

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No. 2012-CP-10-8447

Montclair Property Owners Association, Inc. and Montclair  
Property Owners Association Board of Directors for and on  
behalf of all owners of the Montclair Horizontal Property  
Regime, as assignees of Montclair Associates Limited  
Partnership, Cremco, LLC, and Montclair Homes, LLC ..... Respondents,

v.

Church Creek Construction, LLC,..... Appellant.

**SECOND MOTION FOR EXTENSION OF TIME TO FILE  
INITIAL REPLY BRIEF OF APPELLANT**

Pursuant to Rules 208(a)(3) and 240 of the South Carolina Appellate Court Rules, Appellant Church Creek Construction, LLC (“Church Creek”), requests a ten (10) day extension of time to file its Initial Reply Brief and any Reply Designation of Matter for the Record on Appeal in the above-captioned matter. This is Appellant’s second request for an extension of this deadline.

This request is necessitated because counsel’s court schedule and other briefing deadlines will not allow him to complete the Appellant’s Initial Reply Brief and Designation within the current deadline. Currently, Church Creek’s Initial Reply Brief and Reply Designation of Matter are due on February 9, 2015. With the additional ten (10) day extension, Church Creek’s Initial Reply Brief and Designation will be due February 19, 2015, per Rule 263, SCACR.

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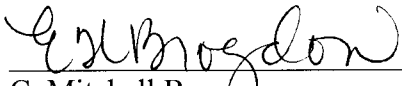
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SC Court of Appeals

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Therefore, Church Creek respectfully moves this Court for a ten (10) day extension of time to file its Initial Reply Brief of Appellant and Reply Designation of Matter in the above-captioned case until February 19, 2015. Prior to filing this motion, counsel for Church Creek consulted with counsel for Respondents, who gave his consent to this motion. **Church Creek asks that this Court hold the current deadline in abeyance, pending the Court's consideration and resolution of this motion.**

NELSON MULLINS RILEY & SCARBOROUGH, LLP

By:   
C. Mitchell Brown  
SC Bar No. 012872  
E-Mail: mitch.brown@nelsonmullins.com  
Elizabeth Herlong Brogdon  
SC Bar No. 008281  
E-Mail: elizabeth.brogdon@nelsonmullins.com  
Miles E. Coleman  
SC Bar No. 78264  
E-Mail: miles.coleman@nelsonmullins.com  
1320 Main Street / 17th Floor  
Post Office Box 11070 (29211-1070)  
Columbia, SC 29201  
(803) 799-2000

PRATT-THOMAS WALKER

Thomas H. Hesse  
S.C. Bar No. 3092  
E-Mail: thh@p-tw.com  
16 Charlotte Street (29403)  
P.O. Drawer 22247  
Charleston, SC 29413-2247  
(843) 727-2250

*Attorneys for Appellant Church Creek Construction, LLC*

Columbia, South Carolina  
February 5, 2015

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

**SC Court of Appeals**

Mikell R. Scarborough, Master-in-Equity

Case No. 2012-CP-10-8447  
Appellate Case No. 2014-001273

Montclair Property Owners Association, Inc. and Montclair  
Property Owners Association Board of Directors for and on  
behalf of all owners of the Montclair Horizontal Property  
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Partnership, Cremco, LLC, and Montclair Homes, LLC,.....

Respondents,

v.

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Appellant.

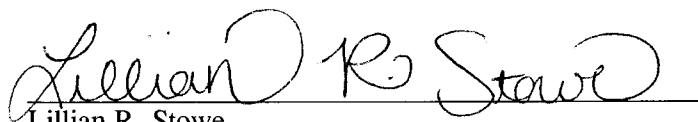
PROOF OF SERVICE

I the undersigned Administrative Assistant of the law firm of Nelson Mullins  
Riley & Scarborough, LLP, attorneys for Church Creek Construction, LLC, do hereby certify  
that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified  
by mailing a copy of the same by United States Mail, postage prepaid, to the following  
address(es):

Pleadings: Appellant's Second Motion for Extension of Time to File Initial  
Brief of Appellant

Counsel Served: Joseph E. Dapore, Esquire  
Edward D. Buckley, Esquire  
Stephen L. Brown, Esquire  
Russell G. Hines, Esquire  
Young Clement Rivers, LLP  
Post Office Box 993  
Charleston, SC 29402

Thomas H. Hesse, Esquire  
PRATT-THOMAS WALKER  
Post Office Drawer 22247  
Charleston, SC 29413-2247

  
Lillian R. Stowe  
Administrative Assistant

February 5, 2015

# Nelson Mullins

**Nelson Mullins Riley & Scarborough LLP**  
Attorneys and Counselors at Law  
1320 Main Street / 17th Floor / Columbia, SC 29201  
Tel: 803.799.2000 Fax: 803.256.7500  
www.nelsonmullins.com

Elizabeth H. Brogdon  
Tel: 803.255.5537  
elizabeth.brogdon@nelsonmullins.com

February 5, 2015

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**SC Court of Appeals**

**Hand Delivered**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

RE: Montclair Property Owners Association, Inc. et al v. Church Creek  
Construction, LLC  
Civil Action No. 2012-CP-10-8447  
Appellate Case No. 2014-001273  
Our File No. 44053/01500

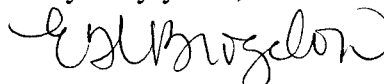
Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Appellant's Second Motion for Extension of Time to File Initial Brief of Appellant in the above-referenced matter. Please file the original and five copies and return a clocked-in copy to me via our courier. Should you have any questions, please do not hesitate to contact me.

By copy of same, we are hereby serving all counsel of record.

With kindest regards, I remain

Very truly yours,



Elizabeth H. Brogdon

EHC:lstowe  
Enclosures

cc: Joseph E. Dapore, Esquire  
Edward D. Buckley, Jr., Esquire  
Thomas H. Hesse, Esquire

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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
February 5, 2015  
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Stephen L. Brown, Esquire  
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