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AUG 14 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2012-CP-40-8512

Appellate Case No. 2015-000180

The Gates at Williams-Brice Condominium Association  
and Katharine Swinson, individually, and on behalf of all  
others similarly situated,.....

Respondents,

v.

DDC Construction, Inc.; Kapasi Glass Mart, Inc.; DMC  
Consolidated, Inc.; DMC Builders, Co., Inc., individually  
and d/b/a The Dinerstein Companies; DC Developers –  
Columbia Condos, Inc.; Columbia Condos, LP; DMC  
Developers I, Ltd.; 31-W Insulation Company, Inc.;  
Associated Concrete Contractors, Inc.; Bailey Electric  
Company, LLC; C&B Utilities, LP; Carolina Floor  
Systems, Inc.; Century Fire Protection, LLC; Cherokee  
Inc.; Coronado Stucco, LP; Cross Plains Custom Tile,  
Inc.; Lowry Construction & Framing Inc.; LTB  
Construction, Inc.; Martin Morales Jr. Painting &  
Drywall, LLC; Metal Construction Materials, Inc.;  
Southwest Ironworks, Inc.; The Clerkley/Watkins Group,  
LP; Tindall Corporation; Triad Pest Control, Inc.;  
Wyman Acoustics LLC; Alenco Holding Corporation;  
Alenco Window GA, LLC; New Alenco Window, Ltd.;  
AWC Holding Company; Crosby Window, Inc., f/k/a  
Action WinDoor Technology, Inc.; Geo-Systems Design  
& Testing, Inc.; HGE Consulting, Inc.; Maintenance  
Builders Supply, Ltd.; SCA Engineers, Inc.; Sinclair &  
Associates, Inc.; Faultless Hardware, individually and  
d/b/a Pamex, Inc.; T&M Concrete, Inc.; Loveless  
Commercial Contracting, Inc.; Economy Waterproofing,  
Inc.; BMC West Corporation; Highway One  
Construction, Inc.; J.I. Windows LLC; Dietrich  
Industries, Inc. a/k/a Dietrich Metal Framing, Inc. n/k/a

Clarkwestern Dietrich Building Systems LLC; Best  
Masonry and its successor in interest, OldCastleAPG;  
Headwaters, Inc. d/b/a Best Masonry; and John Doe #1-  
10 .....

Defendants,

Of whom DDC Construction, Inc.; DMC Consolidated,  
Inc.; DMC Builders, Co., Inc., individually and  
improperly identified as d/b/a The Dinerstein  
Companies; DC Developers – Columbia Condos, Inc.;  
Columbia Condos, LP; DMC Developers I, Ltd.;  
Associated Concrete Contractors, Inc.; Bailey Electric  
Company, LLC; C&B Utilities, LP; Carolina Floor  
Systems, Inc.; Century Fire Protection, LLC; Cherokee  
Inc.; Coronado Stucco, LP; Cross Plains Custom Tile,  
Inc.; Lowry Construction & Framing Inc.; LTB  
Construction, Inc.; Martin Morales Jr. Painting &  
Drywall, LLC; Metal Construction Materials, Inc.;  
Wyman Acoustics LLC; and Highway One Construction,  
Inc. are .....

Appellants.

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**APPELLANTS' MOTION FOR SECOND EXTENSION OF TIME  
TO FILE ITS REPLY BRIEF**

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Erik T. Norton  
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*Attorneys for Appellants*

Appellants hereby request a second extension of time of eight (8) days in which to file their reply brief, making the reply brief due on August 28, 2015. Counsel for Appellants has consulted with counsel for Respondents, and Respondents do not oppose the motion.

The grounds for the request are that a delay in Appellants' counsel receiving Respondents' fifty page initial brief resulted in conflicts with existing case deadlines, other work obligations and travel schedules of Respondents' counsel. Respondents timely filed and served their initial brief on July 29, 2015. It was file stamped as "Received" by the Clerk of Court on August 3, 2015. However, to date, Appellants have not received the initial brief by US Mail. Appellants did not receive the initial brief until August 4, 2015, when counsel for Respondent emailed the brief to Appellants' counsel following an inquiry as to why no brief had been received. Therefore, Appellants did not receive the initial brief until six days after service. With consent of Appellants' counsel, an initial ten day extension was granted. However, the delay in receipt of the initial brief resulted in conflicts with other case deadlines, work obligations and travel schedules of Appellants' counsel, necessitating the further extension.

Appellants therefore respectfully request a second extension of time of eight (8) days in which to file their reply brief, making the reply brief due on August 28, 2015.

*Signature Page Attached*

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Columbia, South Carolina  
August 14, 2015

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
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G. Thomas Cooper, Circuit Court Judge

Case No. 2012-CP-40-8512  
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Condos, Inc.; Columbia Condos, LP; DMC Developers I,  
Ltd.; 31-W Insulation Company, Inc.; Associated Concrete  
Contractors, Inc.; Bailey Electric Company, LLC; C&B  
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Protection, LLC; Cherokee Inc.; Coronado Stucco, LP; Cross  
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Corporation; Triad Pest Control, Inc.; Wyman Acoustics  
LLC; Alenco Holding Corporation; Alenco Window GA,  
LLC; New Alenco Window, Ltd.; AWC Holding Company;  
Crosby Window, Inc., f/k/a Action WinDoor Technology,  
Inc.; Geo-Systems Design & Testing, Inc.; HGE Consulting,  
Inc.; Maintenance Builders Supply, Ltd.; SCA Engineers,  
Inc.; Sinclair & Associates, Inc.; Faultless Hardware,  
individually and d/b/a Pamex, Inc.; T&M Concrete, Inc.;  
Loveless Commercial Contracting, Inc.; Economy  
Waterproofing, Inc.; BMC West Corporation; Highway One  
Construction, Inc.; J.I. Windows LLC; Dietrich Industries,  
Inc. a/k/a Dietrich Metal Framing, Inc. n/k/a Clarkwestern  
Dietrich Building Systems LLC; Best Masonry and its  
successor in interest, OldCastleAPG; Headwaters, Inc. d/b/a  
Best Masonry; and John Doe #1-10 ..... Defendants,

Of whom DDC Construction, Inc.; DMC Consolidated, Inc.;

DMC Builders, Co., Inc., individually and improperly identified as d/b/a The Dinerstein Companies; DC Developers – Columbia Condos, Inc.; Columbia Condos, LP; DMC Developers I, Ltd.; Associated Concrete Contractors, Inc.; Bailey Electric Company, LLC; C&B Utilities, LP; Carolina Floor Systems, Inc.; Century Fire Protection, LLC; Cherokee Inc.; Coronado Stucco, LP; Cross Plains Custom Tile, Inc.; Lowry Construction & Framing Inc.; LTB Construction, Inc.; Martin Morales Jr. Painting & Drywall, LLC; Metal Construction Materials, Inc.; Wyman Acoustics LLC; and Highway One Construction, Inc. are.....

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Appellants.

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**PROOF OF SERVICE**

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I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the document(s) hereinbelow specified by mailing a copy of the same, postage prepaid, to the following address(es):

Document(s):                                   **APPELLANTS' MOTION FOR SECOND EXTENSION OF TIME TO FILE ITS REPLY BRIEF**

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August 14, 2015

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SC Court of Appeals

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

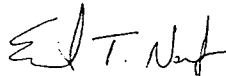
RE: The Gates at Williams-Brice Condominium Association and Katharine Swinson,  
individually, and on behalf of all others similarly situated v. DDC Construction, Inc., et al.  
Appellate Case No. 2015-000180  
Our File No. 41087/01500

Dear Ms. Kitchings:

Enclosed please find the original and one copy of Appellants' Motion for Second Extension of Time to File its Reply Brief, together with our check in the amount of \$25.00.

By copy of this letter, we have served all counsel with a copy of same.

Very truly yours,



Erik T. Norton

ETN:

cc: All Counsel