

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Brooks P. Goldsmith, Circuit Court Judge

Appellate Case No. 2016-000247

RECEIVED
SEP 30 2016
SC Court of Appeals
81134

Lake Estates Property Owners Association, Inc.,.....Appellant,

v.

Lake Estates, LLC; Estate Builders, Inc.; Estate Home Builders, LLC; Arkiteknic, Inc.; David Sladek Engineering Company; Jenkins Plumbing Company, LC; American Paving Design, LLC; American Paving Design, Inc.; Miller Construction of the Low Country, Inc.; Whitaker Laboratory, Inc.; Heritage Plastering & Stucco, LLC; CMC Steel Works, Inc., Savannah Hardscapes, Inc., Superior Heating & Air, Inc., Michael Stoghill d/b/a Advanced Residential Plumbing; Warren Flick Associates, LLC; Warren Flick; Russell Miller; Russell Miller, Jr.; and Robert Miller

Of Whom Lake Estates, LLC; Estate Builders, Inc.; and
Miller Construction of the Low Country, Inc.; are.....Respondents.

**ESTATE BUILDERS, INC.'S
MOTION TO FILE DESIGNATION OF MATTERS TO BE INCLUDED IN THE
RECORD ON APPEAL AFTER THE DEADLINE**

O. Edworth Liipfert, III (SC No.: 72678)
Griffith Sharp, & Liipfert, LLC
600 Monson St.
Beaufort, SC 29902
(843) 521-4242
worth@griffithsharp.com
Attorneys for Estate Builders, Inc.

Respondent Estate Builders, Inc. ("Estate Builders") hereby moves, pursuant to Rule 240, SCACR, for an order allowing Estate Builders to file its Designation of Matters to be Included in the Record on Appeal after the deadline. The Designation was due with Estate Builders' initial brief on September 26, 2016. Counsel for Estate Builders inadvertently failed to include the Designation with the brief. The undersigned counsel consulted with Andrew S. Platte, counsel for the Appellant, and he does not object to this request. The undersigned has also consulted with Theodore L. Manos, counsel for Respondent Miller Construction of the Lowcountry, Inc., and he has no objection. The undersigned has also consulted with W. James Flynn, counsel for Respondent Lake Estates, LLC, and he has no objection.

GRIFFITH SHARP & LIIPFERT, LLC

By:



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ATTORNEYS FOR DEFENDANT ESTATE
BUILDERS

September 28, 2016
Beaufort, South Carolina

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PROOF OF SERVICE

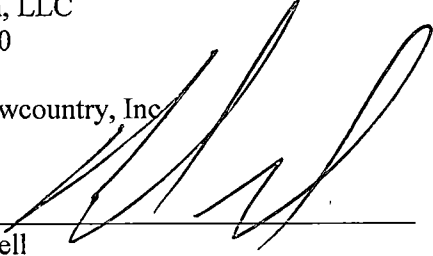
This hereby certifies that Respondent Estate Builders, Inc. has served a copy of its Motion to file designation of matters to be included in the record on appeal after the deadline in the above-referenced matter pursuant to Rule 5 SCRPC by depositing it in the United States, mail, with postage prepaid, and addressed as follows:

Andrew S. Platte
Speights & Runyan
2015 Boundary Street, Suite 239
Beaufort, SC 29902
Counsel for Lake Estates Property Owners Association, Inc.

W. James Flynn
Goodman McGuffey Lindsey & Johnson, LLP
147 Wappoo Creek Drive, Suite 204
Charleston, SC 29412
Counsel for Lake Estates, LLC and Warren Flick

Theodore L. Manos
Robertson Hollingsworth & Flynn, LLC
177 Meeting Street, Suite 300
Charleston, SC 29401
Counsel for Miller Construction of the Lowcountry, Inc

By:



Anna S. Nowell

September 28, 2016
Beaufort, South Carolina



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+ certified mediator
* also admitted in NC

September 28, 2016

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

**RE: Lake Estates Property Owners Association, Inc. v. Estate Builders, Inc.,
et al.**

Appellate Case No: 2016-000247
GS&L File No: 1020-009

Dear Ms. Kitchings:

Please find enclosed the original and one copy of *Respondent Estate Builder, Inc.'s Motion to File Designation of Matters to be Included in the Record on Appeal After the Deadline* and *Respondent Estate Builder, Inc.'s Designation of Matters to be Included in the Record on Appeal* in this case. Also included is our \$25 check for the filing fee. I would appreciate you filing the originals and returning the clocked copies of each document to me in the enclosed envelope. By copy of this letter and enclosures, I herewith serve all counsel of record with the same.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,

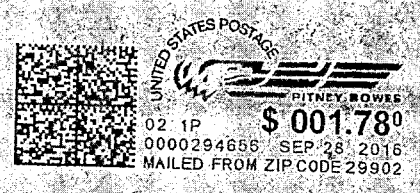
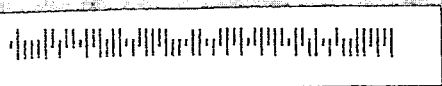
O. Edworth Liipfert III
OEL/an
Enclosures

cc: Andrew S. Platte
W. James Flynn
Theodore L. Manos

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