

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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OCT 04 2016

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
The Honorable Kristi Lea Harrington, Circuit Court Judge

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SC Court of Appeals

Case No. 2008-CP-10-0049
Appellate Case No. 2016-000185

Mark F. Teseniar and Nan M. Teseniar, on behalf of themselves and others similarly situated, and Twelve Oaks at Fenwick Property Owners Association, Inc., (from December 16, 2008 to present),.....Respondents,

v.

Fenwick Plantation Tarragon, LLC, a South Carolina Limited Liability Company f/k/a Fenwick Tarragon Apartments, LLC, a South Carolina Limited Liability Company, Charleston Tarragon Manager, LLC, a Delaware Limited Liability Company, Tarragon Development Corporation, a Nevada Corporation, Summit Contractor WSW Group, Inc., Summit Contractors, Inc., Fugleberg Koch Architects, Inc., Development, Compliance & Inspectors, Inc., H2L Consulting Engineers, Twelve Oaks at Fenwick Property Owners Association, Inc., (from August 6, 2006 to December 15, 2008), Professional Plastering & Stucco, Inc., Johnson Companies, Inc. d/b/a Johnson Roofing, Inc., Los Compos, Inc., North Florida Framing, Inc., Best Masonry & Tool Supply, Inc., Marquez Construction, Inc., J.T. Walker Industries, Inc., J.T. Industries d/b/a General Aluminum Corporation and General Aluminum Company of Texas, LP, J.R. Hobbs Co.-Atlanta, LLC f/k/a JRH Merger Co., LLC, Jamie Helman, individually, Scott Ferguson, individually, and Chris Cobbs, individually, and Federal Insurance Company, Maria Arias, Miquel Roales, APS Enterprises, Unlimited, Inc., HR Electric, A.M. Jacobs, Inc., Mikey Mason d/b/a Mason Contractors KMAC of the Carolinas, Inc., NEO Corporation and Vava Guzman Construction, Inc.,.....Respondents,

And Mt. Hawley Insurance Company.....is the Appellant/Proposed Intervenor.

RESPONDENTS' MOTION FOR EXTENSION OF TIME TO SERVE INITIAL BRIEF AND DESIGNATION OF MATTER

COME NOW the Respondents, Mark F. Teseniar and Nan M. Teseniar, on behalf of themselves and others similarly situated, and Twelve Oaks at Fenwick Property Owners Association, Inc., (from December 16, 2008 to present), by and through their undersigned attorneys, and hereby request a thirty (30) day extension of time to serve and file their Initial Brief and Designation of Matter upon the Appellants, respectfully showing as follows:

1. By letter to the Court dated August 18, 2016, Respondents' requested an initial thirty (30) day extension to file their Initial Brief and Designation of Matter, which was their first request. This Court granted Respondents' request by an Order dated August 23, 2016.

2. The present due date for Respondents' Initial Brief and Designation of Matter is October 7, 2016. Respondents request a 30-day extension to that deadline in order to complete their review of the record and develop their Initial Brief, which efforts have been slowed due to expedited scheduling commitments in an unrelated action as well as travel and family commitments.

3. The undersigned counsel has conferred with all counsel of record prior to filing this motion and have consented to this request.

WHEREFORE Respondents respectfully request that this Court issue an Order granting a thirty (30) day extension of to time to file their Initial Brief and Designation of Matter.

[signature page to follow]

Respectfully submitted this 3rd day of October,



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Attorneys for Respondents

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v.

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And Mt. Hawley Insurance Company.....is the Appellant/Proposed Intervenor.

AFFIDAVIT OF SERVICE

I, Moira W. Kerrigan, an employee of Thurmond Kirchner & Timbes, P.A., attorneys for Respondents, do hereby certify that I have on this date, mailed, a true and correct copy of Respondents' request for extension of time to file Initial Brief and Designation of Matter to the following counsel of record:

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By: _____


Moira W. Kerrigan
Paralegal to Michael A. Timbes

October 3, 2016
Charleston, South Carolina

THURMOND KIRCHNER & TIMBES, P.A.
ATTORNEYS & COUNSELORS AT LAW

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SC Court of Appeals

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** Also admitted in North Carolina

October 3, 2016

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VIA UPS OVERNIGHT DELIVERY

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: *Case Tracking No. 2016-000185*
Mark Teseniar v. Fenwick Plantation

Dear Ms. Kitchings:

Enclosed for filing please find an original and seven (7) copies of Respondents' Motion for an extension of time to file and serve their Initial Brief and Designation of Matter as well as this firm's check in the amount of \$25.00 in satisfaction of the filing fee. Kindly file these papers with the Court and return any file-stamped copies to me in the self-addressed, stamped envelope provided for your convenience.

Your assistance with this matter is greatly appreciated.

With kind regards, I am

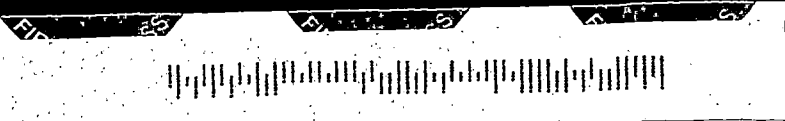
Very truly yours,

THURMOND KIRCHNER & TIMBES, PA


Moira Kerrigan
Paralegal to Michael A. Timbes

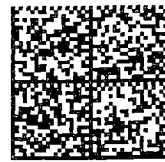
cc: All Counsel

J



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