

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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S.C. SUPREME COURT

APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
John M. Milling, Special Referee

Harleysville Group Insurance, a Pennsylvania corporation, ..... Appellant/Respondent,

v.

Heritage Communities, Inc., a South Carolina corporation; Heritage  
Magnolia North, Inc., a South Carolina corporation; Buildstar  
Corporation, a South Carolina corporation; Magnolia North  
Horizontal Property Regime; Magnolia North Property Owners  
Association, Inc., a South Carolina corporation, and National Surety  
Corp., ..... Defendants,

Of whom Heritage Communities, Inc., a South Carolina corporation;  
Heritage Magnolia North, Inc., a South Carolina corporation;  
Heritage Riverwalk, a South Carolina corporation; Buildstar  
Corporation, a South Carolina corporation; National Surety Corp.,  
are ..... Respondents,

and Magnolia North Horizontal Property Regime and Magnolia  
North Property Owners Association, Inc., are ..... Respondents/Appellants.

Appellate Case No. 2013-001281

And

Harleysville Group Insurance, a Pennsylvania corporation, ..... Appellant/Respondent,

v.

Heritage Communities, Inc., a South Carolina corporation; Heritage  
Riverwalk, a South Carolina corporation; Buildstar Corporation, a  
South Carolina corporation; Riverwalk at Arrowhead Country Club  
Horizontal Property Regime; Riverwalk at Arrowhead Country Club  
Property Owners Association, Inc., a South Carolina Corporation,  
National Surety Corp., and Tony L. Pope and Lynn Pope,  
individually and representing as a class all unit owners at Riverwalk  
at Arrowhead Country Club Horizontal Property Regime, ..... Defendants,

Of whom Heritage Communities, Inc., a South Carolina corporation;  
Heritage Riverwalk, a South Carolina corporation; Buildstar

Corporation, a South Carolina corporation; National Surety Corp., and Tony L. Pope and Lynn Pope, individually and representing as a class all unit owners at Riverwalk at Arrowhead Country Club Horizontal Property Regime, are ..... Respondents, and Riverwalk at Arrowhead Country Club Horizontal Property Regime and Riverwalk at Arrowhead Country Club Property Owners Association, Inc., are ..... Respondents/Appellants.

Appellate Case No. 2013-001291

**Joint Motion for Extension to File Petition for Rehearing**

Counsel for Petitioner and Respondent received the Opinion of this Court on January 11, 2017. This Court previously extended the deadline for a Petition for Rehearing in this matter to February 10, 2017. Due to additional travel out of state and unanticipated other court obligations, the parties jointly move that this Court extend the deadline for any Petition for Rehearing for 7 days to February 17, 2017.

WE SO MOVE:

WE CONSENT:

NELSON MULLINS RILEY &  
SCARBOROUGH LLP

THOMPSON & HENRY, P.A.

By:

*William C. Wood, Jr.*

C. Mitchell Brown  
William C. Wood, Jr.  
A. Mattison Bogan  
Post Office Box 11070  
Columbia, SC 29211-1070  
(803) 799-2000

By:

*John P. Henry by permission*

John P. Henry, Esquire  
Philip C Thompson, Sr., Esquire  
Post Office Box 1740  
Conway, SC 29528  
(843) 248-5741

Robert C. Calamari  
Post Office Box 3939  
Myrtle Beach, SC 29577  
(843) 448-3500

Attorneys for Respondents/Appellants

February 2, 2017

Attorneys for Appellant/Respondent

**Lisa Whitehurst**

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**From:** Pat Henry <PHenry@thompsonlaw.com>  
**Sent:** Wednesday, February 1, 2017 7:45 PM  
**To:** Mitch Brown  
**Subject:** Re: Motion

You have my consent to sign my name to the extension motion to Feb. 17

*Sent from my Verizon Wireless 4G LTE DROID*

Mitch Brown <mitch.brown@nelsonmullins.com> wrote:

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

**From:** Mitch Brown <mitch.brown@nelsonmullins.com>  
**Sent:** Wednesday, February 1, 2017 5:29 PM  
**To:** Pat Henry  
**Subject:** Motion

Pat:

Can you please let me know if I can sign your name to this motion per our discussion? Thank you.

Confidentiality Notice

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure.

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Appellate Case No. 2013-001281

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Corporation, a South Carolina corporation; National Surety Corp.,  
and Tony L. Pope and Lynn Pope, individually and representing as a  
class all unit owners at Riverwalk at Arrowhead Country Club  
Horizontal Property Regime, are ..... Respondents,  
and Riverwalk at Arrowhead Country Club Horizontal Property  
Regime and Riverwalk at Arrowhead Country Club Property  
Owners Association, Inc., are ..... Respondents/Appellants.

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Appellate Case No. 2013-001291

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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/Respondent, 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:

Joint Motion for Extension to File Petition for Rehearing

Counsel Served:

John P. Henry, Esquire  
Philip C. Thompson, Esquire  
Thompson & Henry  
Post Office Box 1740  
Conway, SC 29528

  
\_\_\_\_\_  
Lisa P. Whitehurst  
Administrative Assistant

February 2, 2017