

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

RECEIVED

MAY 04 2017

SC Court of Appeals

Appellate Case No. 2016-2339
Case No. 2014-CP-08-2424

Patricia Damico, and Lenna Lucas, individually and on behalf of all others similarly situated, Joshua and Brettany Beutow, Edward and Sylvia Dengg, Jonathan and Theresa Douglass, Anthony and Stacey Ray, Danny and Ellen Davis Morrow, Czara and Chad England, Bryan and Cynthia Camara, and Matthew CollinsRespondent.

v.

Lennar Carolinas, LLC, Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc., TJB Trucking/Leasing, LLC, Paragon Site Constructors, Inc., Civil Site Environmental, Inc. and Rick Bryant,

Of which Lennar Carolinas, LLC is.....Appellant.

Of which Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc., TJB Trucking/Leasing, LLC, and Civil Site Environmental, Inc. are.....Respondents.

Lennar Carolinas, LLC.....Appellant.

v.

The Earthworkers Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New Enterprises, LLC, Décor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource-Southeast Group, LLC, and Low Country Renovations and Siding, LLP,

Of which A.C. & A. Concrete, Inc., Alpha Omega Construction Group, Inc., Builders FirstSource-Southeast Group, LLC, Coastal Concrete of Southeast, LLC, Coastal Concrete of Southeast II, LLC, Construction Applicators of Charleston, LLC, Décor Corporation, DVS, Inc., Guaranteed Framing, LLC, Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., LA New Enterprises,



LLC, Land/Site Services, Inc., Myers Landscaping, Inc., Ozzy Construction, LLC, Raul Martinez Masonry, LLC, South Carolina Exteriors, LLC, and Volkmar Consulting Services, LLC areRespondents.

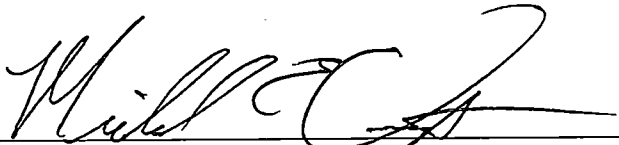
RESPONDENT SUPER CONCRETE OF SC, INC.’S MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF

Respondent Super Concrete of SC, Inc. (“Super Concrete”), by and through its undersigned counsel, respectfully moves for a thirty day extension of time, through June 5, 2017, to file and serve Super Concrete’s Initial Brief and Designation of Matters in this case. In support of its motion, Super Concrete requests the Court consider the following:

1. The time has not expired for Super Concrete to file and serve its Initial Brief and Designation of Matters and it does not request this extension of time for impermissible delay.
2. Counsel for Super Concrete, pursuant to Rule 264, SCACR, was not listed on Appellant’s Proof of Service accompanying Appellant’s Notice of Appeal. Counsel for Super Concrete served his Notice of Appearance on April 5, 2017. Counsel for Super Concrete was not served with Appellant’s Initial Brief and Designation of Matters when it was submitted to the Court on April 5, 2017.
3. Counsel for Super Concrete has had unexpected demands from other matters, including numerous depositions and inspections/destructive testing in construction litigation.
4. Super Concrete needs additional time in order to prepare its Initial Brief and Designation of Matters and the thirty day extension of time will serve the interests of justice by permitting counsel for Super Concrete adequate time to prepare the same.

[Signature block on the following page.]

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Attorneys for Super Concrete of SC, Inc.

May 2, 2017
Charleston, South Carolina

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Of which Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc., Southern Green, Inc., TJB Trucking/Leasing, LLC, and Civil Site Environmental, Inc. are.....Respondents.

Lennar Carolinas, LLC.....Appellant.

v.

The Earthworkers Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C.&A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, LA New Enterprises, LLC, Décor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource-Southeast Group, LLC, and Low Country Renovations and Siding, LLP,

Of which A.C. & A. Concrete, Inc., Alpha Omega Construction Group, Inc., Builders FirstSource-Southeast Group, LLC, Coastal Concrete of Southeast, LLC, Coastal Concrete of Southeast II, LLC, Construction Applicators of Charleston, LLC, Décor Corporation, DVS, Inc., Guaranteed Framing, LLC, Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., LA New Enterprises, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., Ozzy Construction, LLC, Raul Martinez

Masonry, LLC, South Carolina Exteriors, LLC, and Volkmar Consulting Services, LLC are
.....Respondents.

PROOF OF SERVICE

This hereby certifies that a copy of the foregoing Motion for an Extension of time for Super Concrete of South Carolina, Inc. to file its Initial Brief has been sent to all counsel of record via electronic mail and US Regular Mail as follows:

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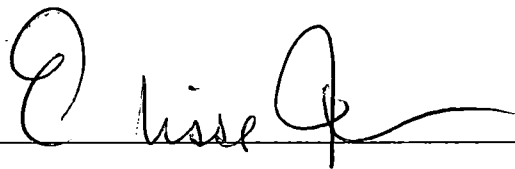
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May 2, 2017
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May 2, 2017

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SC Court of Appeals


The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: Patricia Damico, et al v. Lennar Carolinas, LLC
South Carolina Appellate Case No.: 2016-2339

Dear Ms. Kitchings:

Please find enclosed for filing with the Court the original and six (6) copies of Respondent Super Concrete of SC, Inc.'s Motion for an Extension of time to file its Initial Brief and requisite filing fee for same in the above-referenced matter. We have also enclosed an extra copy of the aforementioned motion and kindly request that you please return the extra copy after filing in the prepaid postage, self-addressed envelope also enclosed herein.

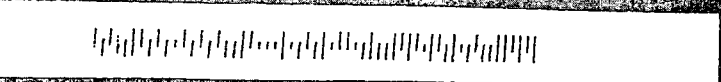
Respectfully,



Michael E. Wright

MEW/ej
Enclosures

cc: All counsel of record



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