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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Circuit Judge

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MAY 05 2017

Appellate Case No. 2016-002339

SC Court of Appeals

Circuit Court 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 Teresa Douglass, Anthony and Stacey Ray, Danny and Ellen Davis Morrow, Czara and Chad England, Bryan and Cynthia Camara, and Matthew Collins,.....**Respondents,**

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 and Rick Bryant, Individually,.....**Defendants,**

Of Which, 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 are Respondents and Lennar Carolinas, LLC,.....**Appellant**

v.

The Earthworks 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,.....**Third-Party Defendants.**

OF WHICH, Volkmar Consulting Services, 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 are.....**Respondents**

**MOTION FOR EXTENSION OF TIME TO SERVE AND FILE INITIAL
BRIEF & DESIGNATION OF MATTERS**

Respondent, Manale Landscaping, LLC respectfully moves this Court for an Order pursuant to Rule 263(b) SCACR for thirty (30) day extension of time in which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal which at present is due on May 5, 2017. Time has not expired for Manale Landscaping to file and serve its initial Brief and Designation of Matters. This motion is not made for the purpose of undue delay, and is the first request for an extension of time.

Counsel for Manale Landscaping, LLC seeks additional time for drafting, and consultation with the client due to unexpected demands in other matters including numerous depositions and site inspections in other construction litigation as well as an upcoming trial.

Counsel for Appellants had consented to the motion for an extension of time. With the requested extension, Respondent Manale Landscaping, LLC's Initial Brief and Designation of Matter would be due June 5, 2017.

[SIGNATURE ON THE FOLLOWING PAGE]

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ATTORNEYS FOR MANALE LANDSCAPING, LLC

May 2, 2017

Charleston, South Carolina

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

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J.C. Nicholson, Circuit Judge

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OF WHICH, Volkmar Consulting Services, LLC, Land/Site Services, Inc., Myers

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PROOF OF SERVICE

I hereby certify that I have this date served Respondent, Manale Landscaping, LLC,'s *Motion for an Extension of Time to File` and Serve its Initial Brief and Designation of Matter* to be included in the record on appeal by depositing a copy in the U.S. Mail, postage paid, addressed to Appellant's attorney as set forth below:

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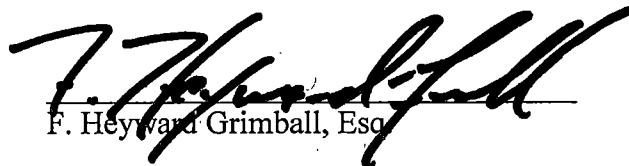
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RICHARDSON PLOWDEN & ROBINSON, P.A.


F. Heyward Grimbball, Esq.

May 2, 2017
Charleston, South Carolina

May 2, 2017

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

RE: Damico, et. al. v. Lennar Carolinas, LLC, et. al.
Case no.: 2014-CP-08-002424
Appellate Care No.: 2016-2339

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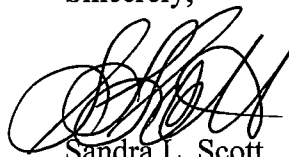
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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed please find an original and six copies of Respondent's Motion for Extension of Time to Serve and File Initial Brief & Designation of Matters, Proof of Service and a check in the amount of \$5.00 to cover the filing fee, in the above matter. Please file the original and six, and return a stamped filed copy to us in the envelope provided. Thank you.

Sincerely,



Sandra L. Scott
Legal Assistant

Enclosures

cc: All Counsel of Record

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ATTORNEYS AT LAW

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