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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

MAY 08 2017

**SC Court of Appeals**

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

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

Patricia Damico, and Lenna Lucas, Individually and on behalf of all other 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 Collins,

Respondent

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.,

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 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

J

FirstSource-Southwest 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.

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**MYERS LANDSCAPING, INC.'S  
MOTION FOR EXTENSION OF TIME**

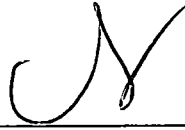
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Respondent, Myers Landscaping, Inc., by and through its undersigned counsel, with the consent of the Appellant, respectfully requests a thirty (30) day extension of time to file Respondent's Initial Brief and Designation of Matter for Record. The reason for this request is in part due to the workload of counsel for the Respondent.

Additionally, counsel for other Respondents have also requested an extension and the undersigned anticipates joining in their arguments.

For the above-stated reasons, on behalf of Respondent, I respectfully request the Court grant Respondent a thirty (30) day extension of time. If this Motion is granted, the Respondent's Initial Brief will be due on or before June 5, 2017. This is movant's first request for an extension of this deadline.

CLAWSON AND STAUBES, LLC



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David C. Cleveland  
126 Seven Farms Drive, Suite 200  
Charleston, SC 29492-8144  
Phone: (843) 577-2026  
Email: [Dcleveland@clawsonandstaubes.com](mailto:Dcleveland@clawsonandstaubes.com)  
Attorney for Myers Landscaping, Inc.

Charleston, South Carolina  
May 4, 2017

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In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
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The Honorable J.C. Nicholson, Jr., Circuit Court Judge

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**SC Court of Appeals**

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v.

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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

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 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-Southwest 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.

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PROOF OF SERVICE

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The undersigned hereby certifies that on the date indicated below he served counsel with a copy of Motion for Extension of Time by mailing a copy of the same by United States Mail with first class postage prepaid to the following:

Jenna McGee, Esq.  
F. Elliott Quinn, IV, Esq.  
James L. Werner, Esq.  
Parker Poe Adams & Bernstein, LLP  
200 Meeting St Ste 301  
Charleston, SC 29401-3156



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David C. Cleveland  
CLAWSON AND STAUBES, LLC

May 4, 2017  
Charleston, South Carolina



David C. Cleveland  
Licensed in SC  
dcleveland@clawsonandstaubes.com

May 03, 2017

File No.: 20163984.000

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211-1629

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MAY 08 2017

**SC Court of Appeals**

Re: Patricia Damico, et al. v. Myers Landscaping, et al.  
Case No.: 2014-CP-08-02424

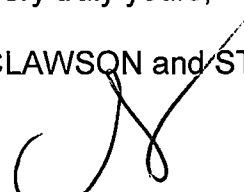
Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of the Motion for Extension of Time in the above-referenced case. I have also enclosed proof of service on counsel for Appellant and our firm check in the amount of \$25.00 for the filing fee for the Motion. Please file the original along with the other documents in this case and return the file stamped copy to our office in the enclosed self-addressed stamped envelope. Should you have any questions, please do not hesitate to contact me.

Thank you very much for your attention to this matter.

Very truly yours,

CLAWSON and STAUBES, LLC



David C. Cleveland

DCC/sns

Enclosures

cc: All Counsel of Record (with enclosure)(via email)

**CLAWSON  
STAUBES**

LLC

126 Seven Farms Drive, Suite 200  
Charleston, SC 29492-8144

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The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
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Columbia, SC 29211-1629

