

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

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

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

RECEIVED

MAY 08 2017

SC Court of Appeals

Patricia Damico, and Lerma Lucas, Individually and on behalf of all others similarly situated, Joshua and Brittany 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 ...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 and Civil Site Environmental are Respondents,

And

Lennar Carolinas, LLC Appellant,

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometries 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, Decor 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, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource Southeast Group, LLC, are also Respondents,

And

Decor CorporationFourth-Party Plaintiff,
v.

Baranov Flooring, LLC, DJ Construction Services, LLC, Creative Wood Floors, LLC, Geraldo Cunha, Ebenezer Flooring, LLC, Emmanuel Flooring and Siding, LLC, Eusi Flooring and Covering, LLC, Nicolas Flores, Alexander Martinez, Isidni Mejia, Juan Perez, Ernesto M. Perez, N&B Construction, LLC, Jose Dias Rodrigues, Livia Sousa, Jose Betio Pereira, Jose Paz Castro Hernandez, Divinio Aperecido Corgosinho, Ricardo Chiche, CEBS Construction, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and

MOTION OF BUILDERS FIRSTSOURCE-SOUTHEAST GROUP, LLC'S
FOR EXTENSION OF TIME

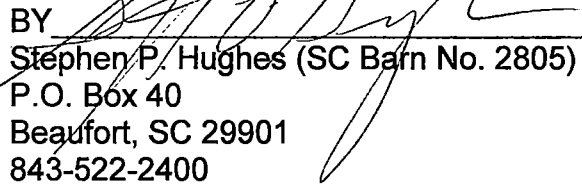
Respondent, Builders FirstSource-Southeast Group, LLC, by and through its undersigned counsel, with the consent of the Appellant, respectfully requests a thirty (30) day extension of time to file Respondent's Initial Brief and Designation of Matter for Record. The reason for this request is in part due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

Respectfully Submitted,

HOWELL, GIBSON AND HUGHES, P.A.

BY 
Stephen P. Hughes (SC Barn No. 2805)
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Attorney for Builders FirstSource-
Southeast Group, LLC

Beaufort, South Carolina

May 4, 2017.

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And

Lennar Carolinas, LLC Appellant,

v.

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And

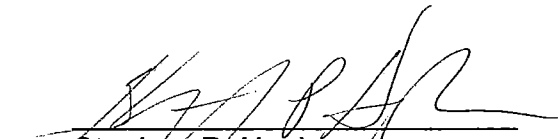
Decor CorporationFourth-Party Plaintiff,
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PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below he served counsel with a copy of the Builders FirstSource-Southeast Group, LLC's Motion for Extension of Time by mailing copies of same by United States Mail with first class postage, prepaid, to the following address:

Jenna K. McGee
James L. Werner
Frederick E. Quinn, IV
Parker, Poe, Adams, & Bernstein, LLP
200 Meeting Street, Ste. 301
Charleston, SC 29401


Stephen P. Hughes
Howell, Gibson and Hughes, P.A.

Beaufort, South Carolina
May 4, 2017

HOWELL, GIBSON AND HUGHES, P.A.
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Via US Mail/Email
May 4, 2017

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SC Court of Appeals

Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Damico, et al (The Abbey at Spring Grove Plantation) v. Lennar
Carolinas, LLC, etc. v. Builders FirstSource-Southeast Group, LLC, etc.
Appellate Case No: 2016-2339
Civil Action No.: 2014-CP-08-02424
Our File No.: 11742 SPH

Dear Ms. Kitchings:

I enclose herewith the original and seven (7) copies of the Motion of the Respondent, Builders Firstsource-Southeast Group, LCL, for an extension of time to file Respondents' Initial Brief and Designation of Matter. Also enclosed are the original Proof of Service upon counsel of record, and our firm check in the amount of \$25.00 in satisfaction of the required filing fee.

I would appreciate your assistance in filing the original and 6 copies and returning a copy of the filed motion in the enclosed self-addressed, stamped envelope.

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.


Stephen P. Hughes

SPH/cab
Enclosure

cc: James L. Werner, Esquire – via US Mail – w/ enclosures
Jenna K. McGee – via US Mail – w/ enclosures
Frederick E. Quinn, IV – via US Mail – w/ enclosures
All remaining Counsel of Record – via email only – w/ enclosure



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HOWELL, GIBSON & HUGHES, P.A.

Attorneys at Law
Post Office Box 40
Beaufort, SC 29901-0040

TO:

Hon. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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