

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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APPEAL FROM BERKELEY COUNTY

MAY 24 2017

Court of Common Pleas

SC Court of Appeals

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

Case No.: 2014-CP-08-2424

Appellate Court Case No. 2016-2339

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 Tay, 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, Súper 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, 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 also Respondents,

And

Décor Corporation Fourth-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, Isidru Mejia, Juan Perez, Ernesto M. Perez, N&B Construction, LLC, Jose Dias Rodriguez, Livia Sousa, Jose Betio Pereira, Jos Paz Castro Hernandez, Divinio Aparecido Corgosinho, Ricardo Chiche, CEBS Constructions, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and John Does 1-4Fourth-Party Defendants.

RESPONDENT LAND SITE SERVICES, INC.’S

MOTION FOR EXTENSION OF TIME

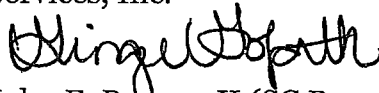
Respondent Land Site Services, Inc., by and through its undersigned counsel, respectfully requests a 30 day extension of time to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal. Respondent further requests that it be allowed to file its Initial Brief and related filings outside of the initial time designated for this filing. This motion is support by the following reasons (1) the substantial workload of counsel, which prevents the devotion of the time necessary to fully brief this matter in the time allotted and (2) numerous other Respondents have requested and been granted the

same extension of time, and Respondent Land Site Services anticipates joining in these arguments. This request is not interposed solely for delay, and will not prejudice Appellant, which has consented to several of these same motions.

Respondent Land Site Services, Inc. therefore requests that the Court allow it, like the other Respondents, until June 5, 2017 to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case.

Respectfully submitted,

THE WARD LAW FIRM, P.A.
Attorneys for Third-Party Defendant Land/Site
Services, Inc.



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v.

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And

Lennar Carolinas, LLC Appellant,

v.

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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 also Respondents,

And

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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, Isidru Mejia, Juan Perez, Ernesto M. Perez, N&B Construction, LLC, Jose Dias Rodriguez, Livia Sousa, Jose Betio Pereira, Jos Paz Castro Hernandez, Divinio Aperecido Corgosinho, Ricardo Chiche, CEBS Constructions, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and John Does 1-4Fourth-Party Defendants.

RESPONDENT LAND SITE SERVICES, INC.’S

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served the following counsel with a copy of the Motion for Extension of Time by mailing copies of same via electronic mail and/or United States Mail with first class postage prepared to the following addresses:

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May _____, 2017

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MAY 24 2017

SC Court of Appeals

May 22, 2017

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


**Re: Damico, et al. v. Lennar Carolinas, LLC, et al.
Case No.: 2014-CP-08-02424**

Dear Ms. Kitchens:

Enclosed for filing please find the original and eight copies of the Motion for Extension of Time in connection with the above-referenced matter. Also enclosed is our Proof of Service and filing fee of \$25.00.

Please file the originals and return filed-stamped copies to me in the enclosed self-addressed stamped envelope.

Sincerely,


Ginger D. Goforth

GDG/prm

Enclosures

↓

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