

YCR LAW

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June 5, 2017

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

Re: Patricia Damico, et al. v. Lennar Carolinas, LLC, et al. v. Lennar Carolinas, LLC,
et al. v. Alpha Omega Construction Group, Inc., et al.
Case No.: 2014-CP-08-2424
YCR File: 10857-20160042

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced matter please find the original and seven (7) copies of Alpha Omega Construction Group, Inc.'s Second Motion for Extension of Time to File/Serve Respondent's Initial Brief, along with the original and one (1) copy of a Proof of Service and this firm's check in the amount of \$25.00 for filing fees. Please file the originals and return one file-stamped copy to me in the envelope provide.

By copy of this letter with the enclosures, I am providing all counsel of record with a copy of this motion.

As always, thank you for your assistance. If you have any questions, please do not hesitate to contact me. With kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Mary S. Willis

CHC/tlb
Enclosures

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cc (w/enc., via U.S. Mail): Myers Landscaping, Inc. c/o Joseph H. Myers
Edward and Sylvia Dengg
Anthony and Stacey Ray

**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

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, Johnathan 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, 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,

**SECOND MOTION FOR EXTENSION OF TIME TO FILE/SERVE
RESPONDENT'S INITIAL BRIEF AND DESIGNATION OF MATTER**

[counsel identified on following page]

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***Attorneys for the Respondent Alpha Omega
Construction Group, Inc.***

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COMES NOW the Respondent Alpha Omega Construction Group, Inc., by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves this Honorable Court for its second extension of thirty (30) days' time to serve and file its initial brief and corresponding designation of matter to be included in the record on appeal.

Presently, by order of this Court filed May 12, 2017, the deadline for Alpha Omega Construction Group, Inc.'s initial brief and designation of matter is June 5, 2017.

This second extension is being sought due to (1) the complexity of Appellant's Initial Brief; (2) the undersigned anticipating joining in on other Respondents arguments, which have yet to be made; (3) other time commitments; and (4) the recent appearance of Mary S. Willis as additional counsel for Alpha Omega Construction Group, Inc. in this appeal. For the reasons set forth herein, the undersigned respectfully requests that Alpha Omega Construction Group, Inc.'s deadline for serving/filing its initial brief and corresponding designation of matter to be included in the record on appeal be extended by 30 days from June 5, 2017, i.e., through July 5, 2017. Respectfully, Respondent believes that this relief is consistent with the interests of justice and will not work any undue prejudice upon Appellant.

WHEREFORE, Respondent respectfully requests that this Honorable Court grant an extension of 30 days' time to serve and file the Initial Brief of Respondent and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for service/filing of Respondent's initial brief and designation of matter would be July 5, 2017, according to the undersigned's calculations. Further, Respondent respectfully requests that the Court hold Respondent's present deadline for briefing/designation of matter in abeyance until it acts upon this motion.

Respectfully submitted,

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Dated: 6/5/2017

**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

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, Johnathan 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, 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,

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I, Mary S. Willis, of Young Clement Rivers, LLP, counsel for Alpha Omega Construction Group, Inc., do hereby certify that I have served the **SECOND MOTION FOR EXTENSION OF TIME TO FILE/SERVE RESPONDENT'S INITIAL BRIEF AND DESIGNATION OF MATTER** on all other parties by depositing a copy of the same in the United States Mail, postage prepaid, on June 5, 2017, addressed as follows to their counsel:

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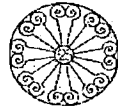
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