

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2013-CP-10-3326
Appellate Case No.: 2017-000474

RECEIVED

JUN 22 2017

SC Court of Appeals

Ex Parte: Liberty Mutual Fire Insurance Company,.....Appellant.

v.

In re: Waverly at Hamlin Plantation Townhome
Association, Inc.,.....Respondent,

v.

John Wieland Homes and Neighborhoods of the
Carolinas, Inc. as Successor by Statutory Merger to John
Wieland Homes and Neighborhoods of South Carolina,
Inc., John Wieland Homes of Charleston, Inc., John
Wieland Homes, Inc., Builders Support Services of the
Carolinas, Inc. and Wheelock Street Capital, LLC d/b/a
John Wieland Homes and Neighborhoods, Inc.,..... Respondents,

and

John Wieland Homes and Neighborhoods of the
Carolinas, Inc. as Successor by Statutory Merger to John
Wieland Homes and Neighborhoods of South Carolina,
Inc., John Wieland Homes of Charleston, Inc., John
Wieland Homes, Inc., Builders Support Services of the
Carolinas, Inc.,..... Respondents,

v.

Barr Construction, Inc., Benjamin Mora d/b/a Mora
Construction, a/k/a Benjamin Mora Construction, LLC,
Builders FirstSource, Inc., a/k/a Builders FirstSource-
Southeast Group, LLC a/k/a Builders FirstSource-



Atlantic Group, LLC, DBC Construction Services, LLC,
Eli, Inc., Gerardo Rosette Sanchez a/k/a GR Painting,
Jorge Medina, Jorge Medina a/k/a JMC Construction,
LLC a/k/a JMC Construction, Inc., Jesus Mora a/k/a J.
Mora Brick & Block Mason, LLC, Juan Luis Sanchez,
Juan Luis Sanchez a/k/a Sanchez Brothers Painting,
Latitude Construction Services, LLC, The Muhler
Company, Inc., Paul M. Vazquez, Richard Ditullio,
Richard Ditullio a/k/a RDT Contracting, LLC, Respondents,

RESPONDENTS' FIRST MOTION FOR EXTENSION

NOW COMES counsel for Respondents, John Wieland Homes and Neighborhoods of the Carolinas, Inc., as Successor by Statutory Merger to John Wieland Homes and Neighborhoods of South Carolina, Inc., John Wieland Homes of Charleston, Inc., John Wieland Homes, Inc., and Builders Support Services of the Carolinas, Inc., and moves this Honorable Court to grant an extension of time of thirty (30) days beyond the thirty (30) days as made applicable by Rules 208 and 209 of the South Carolina Appellate Court Rules to file their Initial Brief and Designation of Matter to be Included in the Record on Appeal with the Clerk of Appellate Court. This is Respondents' first request for an extension of time and the current deadline has yet to expire. Counsel for Appellant Liberty Mutual Insurance Co. has consented to the extension.



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**ATTORNEYS FOR RESPONDENTS
JOHN WIELAND HOMES AND
NEIGHBORHOODS OF THE CAROLINAS,
INC., AS SUCCESSOR BY STATUTORY
MERGER TO JOHN WIELAND HOMES AND
NEIGHBORHOODS OF SOUTH CAROLINA,
INC., JOHN WIELAND HOMES OF**

**CHARLESTON, INC., JOHN WIELAND
HOMES, INC., AND BUILDERS SUPPORT
SERVICES OF THE CAROLINAS, INC.**

CHARLESTON, SC

June 20, 2017

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Inc., John Wieland Homes of Charleston, Inc., John
Wieland Homes, Inc., Builders Support Services of the
Carolinas, Inc. and Wheelock Street Capital, LLC d/b/a
John Wieland Homes and Neighborhoods, Inc., Respondents,

and

John Wieland Homes and Neighborhoods of the
Carolinas, Inc. as Successor by Statutory Merger to John
Wieland Homes and Neighborhoods of South Carolina,
Inc., John Wieland Homes of Charleston, Inc., John
Wieland Homes, Inc., Builders Support Services of the
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v.

Barr Construction, Inc., Benjamin Mora d/b/a Mora
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Builders FirstSource, Inc., a/k/a Builders FirstSource-
Southeast Group, LLC a/k/a Builders FirstSource-

Atlantic Group, LLC, DBC Construction Services, LLC,
Eli, Inc., Gerardo Rosette Sanchez a/k/a GR Painting,
Jorge Medina, Jorge Medina a/k/a JMC Construction,
LLC a/k/a JMC Construction, Inc., Jesus Mora a/k/a J.
Mora Brick & Block Mason, LLC, Juan Luis Sanchez,
Juan Luis Sanchez a/k/a Sanchez Brothers Painting,
Latitude Construction Services, LLC, The Muhler
Company, Inc., Paul M. Vazquez, Richard Ditullio,
Richard Ditullio a/k/a RDT Contracting, LLC, Respondents,

PROOF OF SERVICE

I certify that I have served Respondents' Motion for Extension by depositing a copy of it in the United States Mail, postage prepaid on June 20, 2017 addressed to the following:

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MERGER TO JOHN WIELAND HOMES AND
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INC., JOHN WIELAND HOMES OF
CHARLESTON, INC., JOHN WIELAND
HOMES, INC., BUILDERS SUPPORT
SERVICES OF THE CAROLINAS, INC.**

CHARLESTON, SC

June 20, 2017

WMA

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June 20, 2017

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VIA FACSIMILE AND U.S. MAIL

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

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JUN 22 2017

SC Court of Appeals

RE: Waverly at Hamlin Plantation Townhome Association v. John Wieland Homes
and Neighborhoods of the Carolinas, et al.
Civil Action No.: 2013-CP-10-03326
Appellate Case No.: 2017-00474
Our File No.: 2048-1

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of Respondents' Motion for Extension and Proof of Service in regard to the above-referenced matter. In addition, please find Wills Massalon & Allen LLC's check in the amount of \$25.00 representing the filing fee. Please return one (1) file-stamped copy of the Motion and Proof of Service to me in the self-addressed, stamped envelope provided. If you have any questions, please do not hesitate to contact me.

With kind regards, I am

Sincerely,

WILLS MASSALON & ALLEN LLC



Christy Ford Allen
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CFA/cb
Enclosures

cc: (via U.S. Mail only):
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