

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

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

RECEIVED

JUL 24 2017

SC Court of Appeals

Ex Parte:

Liberty Mutual Fire Insurance Company, Appellant,

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., 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-Atlantic Group, LLC, DBC Construction Services, LLC, Eli, Inc., Gerardo Rosette Sanchez a/k/a JMC Construction, Inc., Jesus Mora a/k/a J. Mora Brick and 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. Vasquez, Richard Ditullio, Richard Ditullio a/k/a RDT Contracting, LLC, Respondents.

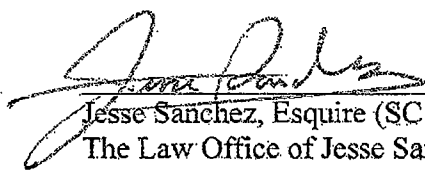
MOTION FOR SECOND EXTENSION OF TIME OF RESPONDENTS JEFFREY SILLS, INDIVIDUALLY AND AS CLASS REPRESENTATIVE, MARIE LABAROWSKI, EDWARD AND NANCY PEYSER, FRANCIS SILLS, DANIEL AND SUZANNE RUTH, STEPHANIE ADILI, MARC AND BRANDY LYNN, RUSSELL ROBINSON, GEORGE BUSNACH, HELEN FURTADO, JESSICA BAUCOM, NANCY S. COLEMAN, LINDA GLITZ, PEGGY GEROU, SHANNON BEBOUT, MARYANN WALSH, PATTY WHITMIRE, DONALD L. TOMASELLO AND PATRICIA KELLY, CHRIS LEIGH-JONES, EDWARD RAY AND KATHY JO FEAGINS, CINDY HUNT FOR BENTGRASS LIMITED, LLC, ADAM A. AND SUSAN S. SOKOLOSKI, WILLIAM AND CAROLYNE BARONE, MICHELLE RAY, EUGENE AND CYNTHIA RAY, WILLIAM ABEL, DEAN AND CONNY MASON, DAVID MCCARTNEY, PAUL AND PATRICIA WATERS, JAMES AND ANDREA LOWRY, R. ROBINSON, JR., THADDEUS R. AND BARBARA A. KUCYSNKSI, BEVERLY SUNDERS CARLSON, LISA ROECK, ELIZABETH JACKSON, CHARLES AND MARY KATHLEEN JENKINS, LINDA M. AND EARL K. RIGLER, JR., JOHN TWOMEY, JOE AND ANITA BRITTAIN, GILBERT J. HAGER AND KELLY HAGER HOLMES, CAROL AND CHRIS GILESPIE, JARED D. OVERCASH, AND WAVERLY AT HAMLIN PLANTATION TOWNHOME ASSOCIATION, INC.

NOW COMES counsel for the Respondents, above-named, and moves this Honorable Court to grant an extension of time for said Respondents to file their Initial Brief and Designation of Matter to be Included in the Record on Appeal until after the Court decides the Motion to Dismiss submitted on July 21, 2017 by Respondents John Wieland Homes and Neighborhood 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., and John Wieland Homes, Inc., f/k/a Builder Support Services of the Carolinas, Inc. The current deadline to file Respondents' Initial Brief and Designation of Matter to be Included on Appeal is July 24, 2017. This second extension is being requested because, in the event that the Motion to Dismiss is not granted, the undersigned anticipates joining in on the other Respondents' arguments,

which have yet to be made.

Respondents respectfully request an extension of said deadline until thirty (30) days after receipt of the Court's decision on the Motion to Dismiss.

Respectfully submitted,



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July 22, 2017
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

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and

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Barr Construction, Inc., Benjamin Mora d/b/a Mora Construction, a/k/a Benjamin Mora Construction, LLC, Builders FirstSource-Atlantic Group, LLC, DBC Construction Services, LLC, Eli, Inc., Gerardo Rosette Sanchez a/k/a JMC Construction, Inc., Jesus Mora a/k/a J. Mora Brick and 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. Vasquez, Richard Ditullio, Richard Ditullio a/k/a RDT Contracting, LLC, Respondents.

PROOF OF SERVICE

I, the undersigned, certify that I have served the **Motion for Second Extension of Time** of Respondents Jeffrey Sills, Individually and as Class Representative, Marie Labarowski, Edward and Nancy Peyser, Francis Sills, Daniel and Suzanne Ruth, Stephanie Adili, Marc and Brandy Lynn, Russell Robinson, George Busnach, Helen Furtado, Jessica Baucom, Nancy S. Coleman, Linda Glitz, Peggy Gerou, Shannon Bebout, Maryann Walsh, Patty Whitmire, Donald L. Tomasello and Patricia Kelly, Chris Leigh-Jones, Edward Ray and Kathy Jo Feagins, Cindy Hunt for Bentgrass Limited, LLC, Adam A. and Susan S. Sokoloski, William and Carolyne Barone, Michelle Ray, Eugene and Cynthia Ray, William Abel, Dean and Conny Mason, David McCartney, Paul and Patricia Waters, James and Andrea Lowry, R. Robinson, Jr., Thaddeus R. and Barbara A. Kucyanski, Beverly Sanders Carlson, Lisa Roeck, Elizabeth Jackson, Charles and Mary Kathleen Jenkins, Linda M. and Earl K. Rigler, Jr., John Twomey, Joe and Anita Brittain, Gilbert J. Hager and Kelly Hager Holmes, Carol and Chris Gilesie, Jared D. Overcash, and Waverly at Hamlin Plantation Townhome Association, Inc.'s to the attorneys of record by depositing a copy of it in the United States Mail on July 22nd, 2017, addressed to the following:

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July 22, 2017
Charleston, South Carolina



July 22, 2017

VIA FACSIMILE AND U.S. MAIL

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

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SC Court of Appeals

Re: Ex Parte:

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Appellate Case No. 2017-000474

Trial Court Case No. 2013CP1003326

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jesse@jessesanchezlaw.com jessesanchezlaw.com

Dear Ms. Kitchings,

In regard to the above-referenced matter, enclosed please find the original and seven (7) copies of the following:

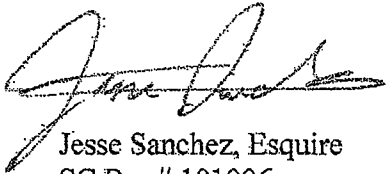
1. Motion for Second Extension of Time of Respondents Jeffrey Sills, Individually and as Class Representative, Marie Labarowski, Edward and Nancy Peyser, Francis Sills, Daniel and Suzanne Ruth, Stephanie Adili, Marc and Brandy Lynn, Russell Robinson, George Busnach, Helen Furtado, Jessica Baucom, Nancy S. Coleman, Linda Glitz, Peggy Gerou, Shannon Bebout, Maryann Walsh, Patty Whitmire, Donald L. Tomasello and Patricia Kelly, Chris Leigh-Jones, Edward Ray and Kathy Jo Feagins, Cindy Hunt for Bentgrass Limited, LLC, Adam A. and Susan S. Sokoloski, William and Carolyne Barone, Michelle Ray, Eugene and Cynthia Ray, William Abel, Dean and Conny Mason, David McCartney, Paul and Patricia Waters, James and Andrea Lowry, R. Robinson, Jr., Thaddeus R. and Barbara A. Kucynski, Beverly Sunders Carlson, Lisa Roeck, Elizabeth Jackson, Charles and Mary Kathleen Jenkins, Linda M. and Earl K. Rigler, Jr., John Twomey, Joe and Anita Brittain, Gilbert J. Hager and Kelly Hager Holmes, Carol and Chris Gillespie, Jared D. Overcash, and Waverly at Hamlin Plantation Townhome Association, Inc.
2. Proof of Service

Please return the file-stamped copies of the Motion and Proof of Service to me in the self-addressed, stamped envelope provided.

The enclosed motion represents the below-named Respondents' second request for an extension of time. A check for the twenty-five dollar (\$25) fee is enclosed.

Thank you for your assistance with this matter. Should you have any questions or wish to discuss the request, please do not hesitate to contact me directly.

Sincerely,



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SC Bar # 101906
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Charleston, SC 29401

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Cc: All Counsel of Record (Via U.S. Mail Only)

FAX COVER SHEET

TO	TheHonorableJennyAbbotKitchings
COMPANY	South Carolina Court of Appeals
FAXNUMBER	18037341839
FROM	Jesse Sanchez
DATE	2017-07-22 18:11:00 GMT
RE	Appellate Case No. 2017 - 000474

COVER MESSAGE

Dear Ms. Kitchings,

Please find the attached cover letter, motion, and proof of service.

RECEIVED

Best regards,

JUL 24 2017

SC Court of Appeals

Jesse Sanchez

SC Bar # 101906

(843) 814-8181