

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

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., Builder 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., Builder 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' 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., and John Wieland Homes, Inc., f/k/a Builder Support Services of the Carolinas, Inc., and moves this Honorable Court to grant an extension of time for Respondents to file their Initial Brief and Designation of Matter to be Included in the Record on Appeal until after the Court decides Respondents' Motion to Dismiss being filed contemporaneously herewith. The current deadline to file Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal is July 24, 2017.

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



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**ATTORNEYS FOR RESPONDENTS  
JOHN WIELAND HOMES AND  
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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.**

CHARLESTON, SC

July 21, 2017

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In the Court of Appeals

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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,

**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 July 21, 2017 addressed to the following:

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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., f/k/a BUILDER SUPPORT  
SERVICES OF THE CAROLINAS, INC.**

CHARLESTON, SC

July 21, 2017

# WMA

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July 21, 2017

Direct Dial: (843) 793-6040

**VIA FACSIMILE AND U.S. MAIL**

**RECEIVED**

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

JUL 24 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:

In regard to the above-referenced matter, enclosed please find the following:

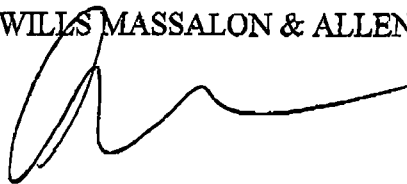
1. Original and seven (7) copies of Respondents' Motion to Dismiss and Proof of Service;
2. Original and seven (7) copies of Respondents' Motion for Extension and Proof of Service;
3. Wills Massalon & Allen LLC Check Nos. 9019 and 9020 in the amount of \$25.00 each representing the filing fees.

Please return file-stamped copies of the motions and proofs 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  
[callen@wmalawfirm.net](mailto:callen@wmalawfirm.net)

The Honorable Jenny Abbott Kitchings  
July 21, 2017  
Page 2

CFA/cb  
Enclosures

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