

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.



John A. Massalon (SC Bar #10279)
Christy Ford Allen (SC Bar #15649)
WILLS MASSALON & ALLEN LLC
Post Office Box 859
Charleston, South Carolina 29402
(843) 727-1144
jmassalon@wmalawfirm.net
callen@wmalawfirm.net

**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., AND JOHN WIELAND
HOMES, INC., f/k/a BUILDER SUPPORT
SERVICES OF THE CAROLINAS, INC.**

CHARLESTON, SC

July 21, 2017

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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
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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 July 21, 2017 addressed to the following:

C. Mitchell Brown, Esquire
Brian P. Crotty, Esquire
Blake T. Williams, Esquire
Nelson Mullins Riley & Scarborough LLP
1320 Main Street, 17th Floor
Columbia, SC 29211

Robert C. Calamari, Esquire
Nelson Mullins Riley & Scarborough LLP
3751 Robert M. Grissom Parkway, Suite 300
Myrtle Beach, SC 29511

**Attorneys for Appellant Liberty
Mutual Fire Insurance Company**

Erin DuBose Dead, Esquire
Tupper Grimsley & Dean, PA
Post Office Box 2055
Beaufort, SC 299201

Attorneys for Barr Construction Inc.

John C. Hayes IV, Esquire
Mary-Margaret Fitzhenry Noland, Esquire
Hayes Law Firm LLC
180 Meeting Street, Suite 330
Charleston, SC 29401

I. Keith McCarty, Esquire
McCarty Law Firm PC
Post Office Box 30055
Charleston, SC 29417

Jesse Sanchez, Esquire
The Law Office of Jesse Sanchez
98^{1/2} Broad Street, Suite B
Charleston, SC 29401

**Attorneys for Waverly at Hamlin
Plantation Townhome Association, Inc.**

Caroline Coward McIntosh, Esquire
Kevin W. Mims, Esquire
Luzuriaga Mims, LLP
50 Immigration Street, Suite 200
Charleston, SC 29403

Attorneys for AC Construction Inc.

Jonathan J. Anderson, Esquire
Curtis Brent Martin, Esquire
Anderson Reynolds & Stephens, LLC
Post Office Box 87
Charleston, SC 29402

**Attorneys for Benjamin Mora
Construction LLC, Benjamin Mora,
and Mora Construction**

Andrew Elliott Haselden, Esquire
Justin Paul Novak, Esquire
Howser Newman & Besley, LLC
215 East Bay Street, Suite 303
Charleston, SC 29401

Theodore Luke Manos, Esquire
Robertson Hollingsworth & Flynn
177 Meeting Street, Suite 300
Charleston, SC 29401

**Attorneys for Builders Support Services
of the Carolinas, Inc., John Wieland
Homes and Neighborhoods of South
Carolina, Inc., John Wieland Homes and
Neighborhoods of the Carolinas, Inc.,
John Wieland Homes Inc., and John
Wieland Homes of Charleston, Inc.**

Marvin D. Infinger, Esquire
Cheryl D. Shoun, Esquire
Nexsen Pruet, LLC
Post Office Box 486
Charleston, SC 29402

**Attorneys for John Wieland Homes
and Neighborhoods Inc. and
Wheelock Street Capital LLC**

Patrick T. Morrissey, Esquire
Clawson & Staubes, LLC
127 Severn Farms Drive, Suite 200
Charleston, SC 29492

Attorneys for Eli Inc.

Christopher M. Adams, Esquire
Andrew N. Cole, Esquire
Collins & Lacy, PC
Post Office Box 12487
Columbia, SC 29211

**Attorneys for JMC Construction, Inc.,
JMC Construction, LLC, and
Jorge Medina**

Julian K. Allen, Esquire
Allen Law
Post Office Box 12429
Charleston, SC 29422

Sarah Louise Fragale, Esquire
Turner Padgett Graham & Laney, PA
40 Calhoun Street, Suite 200
Charleston, SC 29401

**Attorneys for Juan Luis Sanchez and
Sanchez Brothers Painting**

Stephen P. Hughes, Esquire
Howell Gibson & Hughes, PA
Post Office Box 40
Beaufort, SC 29901

James Andrew Yoho, Esquire
Carlock, Copeland & Stair, LLP
40 Calhoun Street, Suite 400
Charleston, SC 29407

**Attorneys for Builders Firstsource
Southeast Group LLC**

Jared Hudson Garraux, Esquire
Richardson Plowden & Robinson, PA
1900 Barnwell Street
Columbia, SC 29201

**Attorneys for Richard Ditullio
and RDT Contracting LLC**

Robert Michael Ethridge, Esquire
Laura Elizabeth Paris Paton, Esquire
Carlock Copeland & Stair, LLP
Post Office Box 20969
Charleston, SC 29413

**Attorneys for Latitude
Construction Services LLC**

Peter Gunnar Nistad, Esquire
Gallivan White & Boyd, PA
Post Office Box 22768
Charleston, SC 29413

Attorneys for The Muhler Company Inc.

Elizabeth Fraysure Fulton, Esquire
Pritchard Law Group LLC
129 Broad Street
Charleston, SC 29401

John Elliott Rogers II, Esquire
Carl Reed Teague, Esquire
The Ward Law Firm, P.A.
Post Office Box 5663
Spartanburg, SC 29304

**Attorneys for J Mora Brick &
Block Mason LLC, Jesus Mora**

Paul M. Vasquez
1417 Peach Blossom Lane
Charleston, SC 29492

Pro Se



John A. Massalon (SC Bar #10279)
Christy Ford Allen (SC Bar #15649)
WILLS MASSALON & ALLEN LLC
Post Office Box 859
Charleston, South Carolina 29402
(843) 727-1144
jmassalon@wmalawfirm.net
callen@wmalawfirm.net

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

CHARLESTON, SC

July 21, 2017

WMA

WILLS MASSALON & ALLEN LLC

97 Broad Street • Charleston, SC 29401 • Post Office Box 859 • Charleston, SC 29402
Phone: 843-727-1144 • Fax: 843-727-7696 • www.wmalawfirm.net

July 21, 2017

Direct Dial: (843) 793-6040

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

RECEIVED

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

The Honorable Jenny Abbott Kitchings
July 21, 2017
Page 2

CFA/cb
Enclosures

cc: *(via U.S. Mail only):*
C. Mitchell Brown, Esquire
Brian P. Crotty, Esquire
Blake T. Williams, Esquire
Robert C. Calamari, Esquire
John C. Hayes IV, Esquire
Mary-Margaret Fitzhenry Noland, Esquire
I. Keith McCarty, Esquire
Jesse Sanchez, Esquire
Andrew Haselden, Esquire
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