

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

Appeal from Charleston County  
Court of Common Pleas

Jean Hofer Toal, Circuit Court Judge

Case No. 2016-CP-10-01833

Appellate Case No. 2017-001270

**RECEIVED**

OCT 30 2017

SC Court of Appeals

Andrew and Kimberly McIntire,

Appellants,

v.

Sequest Development Company, Inc.; Red Bay Constructors Corp.;  
Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction;  
Coastal Window & Door Center of Charleston, LLC; Carolina Window &  
Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC;  
Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets;  
Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.;  
Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a  
Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.;  
Carolina Pest Solutions, Inc.; New South Construction Supply, LLC,

Defendants,

Of whom Sequest Development Company, Inc., is the

Respondent.

**MOTION TO ALLOW RESPONDENT UNTIL NOVEMBER 3, 2017,  
TO FILE/SERVE INITIAL BRIEF AND DESIGNATION OF MATTER**

YOUNG CLEMENT RIVERS, LLP

Stephen L. Brown (SC Bar No. 66468)

Edward D. Buckley, Jr. (SC Bar No. 994)

Jason A. Daigle (SC Bar No. 73308)

Russell G. Hines (SC Bar No. 72100)

Post Office Box 993

Charleston, South Carolina 29402

(843) 720-5488

*Counsel for Respondent*

NOW COMES Respondent, Sequest Development Company, Inc., by and through its undersigned counsel, on the grounds stated below, and, pursuant to Rule 263(b), SCACR, hereby moves this Honorable Court to allow it until Friday, November 3, 2017, to file/serve its initial brief and designation of matter to be included in the record on appeal.

1. By order of October 5, 2017, the Court granted Respondent's second motion for an extension of its initial briefing/designation of matter deadline, establishing a deadline of today, October 30, 2017.

2. The undersigned is certainly aware of the language in the Court's order advising that no further extension would be granted absent extraordinary circumstances, and does not make this motion lightly, but makes it for what is hoped that the Court will deem sufficient cause to grant the dispensation requested herein: The undersigned's typical work schedule was recently disrupted by a family trip that resulted in him missing a week of office time (October 2-6), compacting the amount of time he has had to handle this and other matters, and the extension requested herein will allow counsel sufficient time to devote his best efforts to Respondent's brief and designation.

3. In further support hereof, the undersigned submits that allowance of the requested relief is consistent with the interests of justice and will not unduly prejudice any other party.

WHEREFORE, Respondent respectfully requests that this Honorable Court allow it through Friday, November 3, 2017, to file/serve its initial brief and designation of matter to be included in the record on appeal. Further, Respondent respectfully requests that the Court hold its present initial briefing/designation of matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)  
Edward D. Buckley, Jr. (SC Bar No. 994)  
Jason A. Daigle (SC Bar No. 73308)  
Russell G. Hines (SC Bar No. 72100)  
Post Office Box 993  
Charleston, South Carolina 29402  
(843) 720-5488

*Counsel for Respondent*

Charleston, South Carolina

Dated: 10/30/17

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Defendants,

Of whom Sequest Development Company, Inc., is the

Respondent.

**PROOF OF SERVICE**


YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Edward D. Buckley, Jr. (SC Bar No. 994)  
Jason A. Daigle (SC Bar No. 73308)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488

*Counsel for Respondent*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondent, hereby certify that the **MOTION TO ALLOW RESPONDENT UNTIL NOVEMBER 3, 2017, TO FILE/SERVE INITIAL BRIEF AND DESIGNATION OF MATTER** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on October 30, 2017, properly posted for delivery to the following addressees:

ANDREW K. EPTING, JR., LLC  
Andrew K. Epting, Jr., Esquire  
Jaan G. Rannik, Esquire  
46A State Street  
Charleston, South Carolina 29401

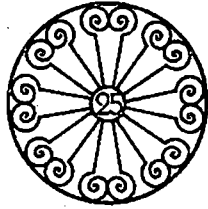
*Counsel for Appellants*



Russell G. Hines

Charleston, South Carolina

Dated: 10/30/17



# YCR LAW

Kathleen B. Barnes  
Secretary

Direct Dial: (843) 720-5488  
Direct Fax: (843) 579-1369  
E-mail: kbarnes@ycrlaw.com

October 30, 2017

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SC Court of Appeals

**VIA US MAIL AND FASCIMILE**

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

Re: Andrew and Kimberly McIntire v. SeaQuest Development Company, Inc., et al.  
Appellate Case No. 2017-001270  
Case No.: 2016-CP-10-1833  
Claim No.: 100-00-002622  
Date of Loss: 7/24/2008  
YCR File: 9795-20160374

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of a Motion to Allow Respondent Until November 3, 2017 to File/Serve Initial Brief and Designation of Matter, the original and one (1) copy of the Proof of Service of same and our firm's check in the amount of \$25.00 representing the filing fee. Please file the originals and return court-stamped copies to me in the enclosed envelope.

With best wishes and kindest regards, I am

Sincerely,

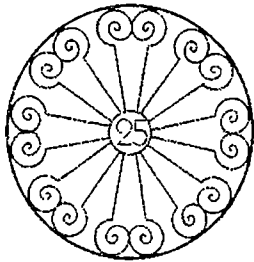
YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes  
Secretary

**Enclosures**

(via US Mail and email)

cc: Andrew K. Epting, Jr., Esquire, Andrew K. Epting, Jr., LLC  
Jaan G. rannik, Esquire, Andrews K. Epting, Jr., LLC



# YCR LAW

Young Clement Rivers, LLP

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THE FOLLOWING PAGES ARE FOR IMMEDIATE DELIVERY

To: 18037341839  
From: kbarnes@ycrlaw.com  
Date: October 30, 02:50:05 PM EDT  
Subj: McIntire v. Seaquest, et al; Case No.: 2017-001270  
Pages: 8

Good afternoon,

Attached please find correspondence in the above-referenced matter with regard to an extension request. The original together with all copies and our firm's check has been placed in the mail. Please do not hesitate to let us know if you have any questions or concerns.

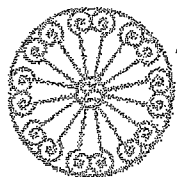
Thank you!

Katy B. Barnes  
Commercial Litigation Secretary  
Stephen L. Brown, Russell G. Hines & Joanna B. Stroud  
Young Clement Rivers, L.L.P.  
25 Calhoun Street, Suite 400  
Charleston, SC 29401  
Telephone: (843) 724-6610  
Facsimile: (843) 579-1369

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**YCR LAW**  
25 Calhoun Street • Suite 400 • Charleston, SC 29401  
ycrlaw.com

Charleston Office  
25 Calhoun Street, Suite 400 \* Charleston, SC 29401  
P.O. Box 993 \* Charleston, SC 29402-0993

TELEPHONE: (843) 577-4000  
WEBSITE: www.ycrlaw.com

Young Clement Rivers, LLP  
<http://www.ycrlaw.com>  
Charleston: (843) 577-4000

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