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IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J.C. Nicholson, Circuit Judge

RECEIVED

SEP 21 2017

Appellate Case No. 2016-002339

SC Court of Appeals

Circuit Court Case No. 2014-CP-08-2424

Patricia Damico and Lenna Lucas, Individually and on behalf of all others similarly situated, Joshua and Brettany Beutow, Edward and Sylvia Dengg, Jonathan and Teresa Douglass, Anthony and Stacey Ray, Danny and Ellen Davis Morrow, Czara and Chad England, Bryan and Cynthia Camara, and Matthew Collins,.....**Respondents,**

v.

Lennar Carolinas, LLC, Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc. Southern Green, Inc., TJB Trucking/Leasing, LLC, Paragon Site Constructors, Inc., Civil Site Environmental and Rick Bryant, Individually,.....**Defendants,**

Of Which, Spring Grove Plantation Development, Inc., Manale Landscaping, LLC, Super Concrete of SC, Inc. Southern Green, Inc., TJB Trucking/Leasing, LLC, Paragon Site Constructors, Inc., Civil Site Environmental are Respondents and Lennar Carolinas, LLC,.....**Appellant**

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C. & A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, La New Enterprises, LLC, Décor Corporation, DVS, INC., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource - Southeast Group, LLC, and Low Country Renovations and Siding, LLP,.....**Third-Party Defendants.**

OF WHICH, Volkmar Consulting Services, LLC, Land/Site Services, Inc., Myers

Landscaping, Inc., A.C. & A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, La New Enterprises, LLC, Décor Corporation, DVS, INC., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource -Southeast Group, LLC are.....**Respondents**

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**MOTION FOR LEAVE TO FILE FINAL BRIEF OUT OF TIME**

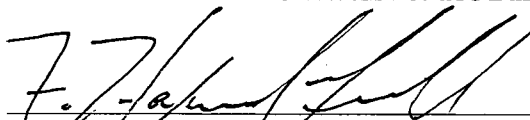
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Respondent, Manale Landscaping, LLC respectfully moves this Court for an Order pursuant to Rule 263(b) SCACR for fifteen (15) day extension of time to file and serve its Final Brief from the date of the Court's ruling on Manale Landscaping, LLC's pending Motion to Supplement the record, which was due on September 7, 2017. Time has expired for Manale Landscaping to file and serve its Final Brief. Manale Landscaping has filed its final brief contemporaneously with this motion. This motion is not made for the purpose of undue delay, and is the first request for an extension of time.

With the requested extension, Respondent Manale Landscaping, LLC's Final Brief would be due September 22, 2017.

***[SIGNATURE ON THE FOLLOWING PAGE]***

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**ATTORNEYS FOR MANALE LANDSCAPING, LLC**

September 19, 2017  
Charleston, South Carolina

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

J.C. Nicholson, Circuit Judge

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v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometrics Consulting, LLC, Land/Site Services, Inc., Myers Landscaping, Inc., A.C. & A. Concrete, Inc., Knight's Concrete Products, Inc., Knight's Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, La New Enterprises, LLC, Décor Corporation, DVS, INC., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource -Southeast Group, LLC, and Low Country Renovations and Siding, LLP,.....**Third-Party Defendants.**

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Redi-Mix, Inc., Coastal Concrete Southeast, LLC, Coastal Concrete Southeast II, LLC, Guaranteed Framing, LLC, Ozzy Construction, LLC, Construction Applicators Charleston, LLC, La New Enterprises, LLC, Décor Corporation, DVS, INC., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders FirstSource -Southeast Group, LLC are.....**Respondents**

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**PROOF OF SEVICE**

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I hereby certify that I have this date served Respondent, Manale Landscaping, LLC,'s *Motion for Leave to File Final Brief out of Time* by depositing a copy of the same in the U.S. Mail, postage paid, addressed as set forth below:

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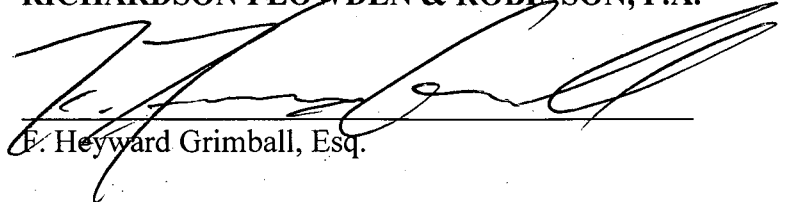
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E. Heyward Grimbball, Esq.

September 19, 2017  
Charleston, South Carolina

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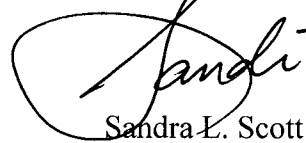
The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**RE: Damico, et. al. v. Lennar Carolinas, LLC, et. al.**  
Case no.: 2014-CP-08-002424  
**Appellate Care No.: 2016-2339**

Dear Ms. Kitchings:

Enclosed please find an original and seven copies of Respondent Manale's Motion for Leave to File Final Brief Out of Time and Proof of Service in the above matter, along with our firm's check in the amount of \$5.00 to cover the cost of filing the same. Please file the original and six, and return a stamped filed copy to us in the envelope provided. Thank you.

Sincerely,



Sandra L. Scott  
Legal Assistant

Enclosures

cc: All Counsel of Record

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SEP 21 2017

**SC Court of Appeals**

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09/19/2017  
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SC Court of Appeals

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