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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2016-2339
Case No. 2014-CP-08-2424

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SEP 06 2018
SC Court of Appeals

Patricia Damico and Lenna Lucas, Individually and on behalf of all others similarly situated, Joshua and Brettany Beutow, Edward and Sylvia Dengg, Jonathan and Theresa 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, and Civil Site Environmental are Respondents.

And

Lennar Carolinas, LLC, Appellant,

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometries 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, Decor 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, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders Firstsource Southeast Group, LLC, are also Respondents.

And

Decor Corporation, Fourth Party Plaintiff,

v.

Baranov Flooring, LLC, DJ Construction Services, LLC, Creative Wood Floors, LLC, Geraldo Cunha, Ebenezer Flooring, LLC, Emmanuel Flooring and Siding, LLC, Eusi Flooring and Covering, LLC, Nicolas Flores, Alexander Martinez, Isidini Mejia, Juan Perez, N&B Construction, LLC, Jose Dias Rodrigues, Livia Sousa, Jose Paz Castro Hernandez, Divinio Aperecido Corgosinho, Ricardo Chiche, CEBS Construction, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and John Does 1-4, Fourth Party Defendants.

RESPONDENTS' MOTION FOR FIRST EXTENSION OF TIME TO FILE
AND SERVE THEIR REPLY TO APPELLANT LENNAR CAROLINA LLC'S
RETURN TO RESPONDENTS' PETITION FOR FULL APPELLATE COURT
REVIEW

NOW COMES Respondents Patricia Damico, Joshua and Brettany Beutow, Bryan and Cynthia Camara, Matthew Collins, Jonathan and Theresa Douglass, Czara and Chad England, Lenna Lucas, and Danny and Ellen Davis Morrow, ("Respondents") by and through its undersigned counsel, and respectfully moves the Court pursuant to Rule 240 and Rule 263, SCACR for a seven (7) day extension of time to and including Wednesday, September 12, 2018, to file and serve their Reply to Appellant Lennar Carolina, LLC's Return to Respondent's Petition for Full Appellate Court Review.

In support thereof Respondents shows the Court the following:

1. Respondents' time for filing their Return to Appellant Lennar Carolina, LLC's Petition to Review the Circuit Court's Order Lifting the Automatic Stay has not expired.

2. Appellants did not include The Law Office of Jesse Sanchez, LLC, Counsel for Respondents, in its Proof of Service and do not appear to have mailed him a copy of the Return. Mr. Sanchez filed a notice of appearance with this Court on June 14, 2018. Mr. Sanchez is assisting with this Reply.

3. Appellants served their Return via US Mail on Friday, August 31st, which preceded Labor Day weekend.¹ The Hayes Law Firm, LLC did not receive a copy of this reply until late yesterday afternoon.

4. Respondents need additional time to prepare their Reply to Appellant Lennar Carolina, LLC's Return to Respondent's Petition for Full Appellate Court Review.

5. A seven (7) day extension of time for Respondents to file their Reply to Appellant Lennar Carolina, LLC's Return to Respondent's Petition for Full Appellate Court Review will serve the interests of justice by allowing counsel adequate time to prepare a thorough and detailed Reply.

6. Respondents do not request this extension for the impermissible purpose of delay.

WHEREFORE, the below-named Respondents respectfully move the Court for a seven (7) day extension of time to and including Wednesday, September 12, 2018, to file and serve their Reply to Appellant Lennar Carolina, LLC's Return to Respondent's Petition for Full Appellate Court Review. Respondents further request that the current deadline be held in abeyance while the Court considers this request.

¹ Appellant's had previously requested and were granted an extension to file their Return by September 4, 2018.

Respectfully submitted,

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TERESA DOUGLASS, CZARRA AND CHAD
ENGLAND, LENNA LUCAS, AND DANNY AND
ELLEN DAVIS MORROW***

September 5, 2018
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2016-2339
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SC Court of Appeals

Patricia Damico and Lerna Lucas, Individually and on behalf of all others similarly situated, Joshua and Brettany Beutow, Edward and Sylvia Dengg, Jonathan and Theresa 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, and Civil Site Environmental are Respondents.

And

Lennar Carolinas, LLC, Appellant,

v.

The Earthworks Group, Inc., Volkmar Consulting Services, LLC, Geometries 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, Decor 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, Decor Corporation, DVS, Inc., Raul Martinez Masonry, LLC, Alpha Omega Construction Group, Inc., South Carolina Exteriors, LLC, Builders Firstsource Southeast Group, LLC, are also Respondents.

And

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Baranov Flooring, LLC; DJ Construction Services, LLC, Creative Wood Floors, LLC, Geraldo Cunha, Ebenezer Flooring, LLC, Emmanuel Flooring and Siding, LLC, Eusi Flooring and Covering, LLC, Nicolas Flores, Alexander Martinez, Isidini Mejia, Juan Perez, N&B Construction, LLC, Jose Dias Rodrigues, Livia Sousa, Jose Paz Castro Hernandez, Divinio Aperecido Corgosinho, Ricardo Chiche, CEBS Construction, Bayshore Siding and Flooring, Sebastio Luiz de Araujo, and John Does 1-4, Fourth Party Defendants.

PROOF OF SERVICE

I, the undersigned, certify that I have served *Respondents' Motion for First Extension of Time to File and Serve their Reply to Appellant Lennar Carolina LLC's Return to Respondents' Petition for full Appellate Court Review* to the attorneys of record by depositing a copy of it in the United States Mail on September 5, 2018, addressed to the following:

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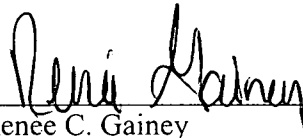
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c/o Joseph H. Myers, Registered Agent
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September 5, 2018
Charleston, South Carolina

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September 5, 2018

VIA USPS PRIORITY EXPRESS MAIL AND FAX (803) 734-1839

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

**Re: Patricia Damico, et. al. v. Lennar Carolinas, LLC, et al.
Case No. 2014-CP-08-2424; Appellate Case No. 2016-2339.**

Dear Ms. Kitchings,

Enclosed herewith, please find one (1) original and six (6) copies of *Respondents' Motion For First Extension of Time to File and Serve their Reply to Appellant Lennar Carolina LLC's Return to Respondents' Petition for Full Appellate Court Review and Proof of Service*. A check for the \$25.00 the filing fee for this motion 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,

John C. Hayes, IV, Esquire
SC Bar # 69740

**ATTORNEY FOR RESPONDENTS PATRICIA
DAMICO, JOSHUA AND BRETTANY
BEUTOW, BRYAN AND CYNTHIA CAMARA,
MATTHEW COLLINS, JONATHAN AND
TERESA DOUGLASS, CZARRA AND CHAD
ENGLAND, LENNA LUCAS, AND DANNY AND
ELLEN DAVIS MORROW**

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Cc: All Counsel of Record (Via US Mail Only)
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