

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

**RECEIVED**

SEP 17 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.

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

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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 nine (9) day extension of time to and including Friday, September 21, 2018, to file and serve their Reply to Appellant Lennar Carolina, LLC's Return to Respondent's Petition for Full Appellate Court Review. The current due date for filing and serving the Reply is

Wednesday, September 12, 2018.

The grounds for this motion are as follows:

1. On September 10, 2018, Governor Henry McMaster ordered the mandatory evacuation of all coastal counties in South Carolina, including Charleston County, due to Hurricane Florence. Counsel for Respondents are located in the affected area.

2. As of the date of this Motion, state office in twenty-six (26) counties will close as of Tuesday, September 11<sup>th</sup>. The Charleston County judicial complex is closed until further notice.

3. Respondents need to prepare for Hurricane Florence and will require additional time to prepare their Reply in light of the pending Hurricane and resulting storm surge.

4. 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.


5. A nine (9) 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 nine (9) day extension of time to and including Friday, September 21, 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.

[Signature on following page.]

Respectfully submitted,



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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**

September 10, 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

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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,

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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.

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PROOF OF SERVICE

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I, the undersigned, certify that I have served *Respondents' Motion for Second 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 10, 2018, addressed to the following:

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*Attorney for Respondent TJB  
Trucking/Leasing, LLC*

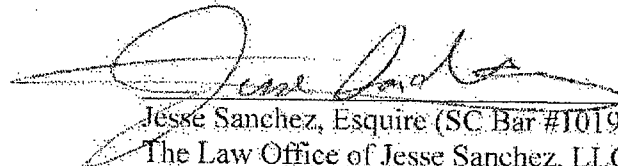
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*Pro Se Respondents*

Third Party Defendant Myers  
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c/o Joseph H. Myers, Registered Agent  
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Ronald G. Tate, Jr.  
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September 10, 2018  
Charleston, South Carolina

THE LAW OFFICE OF JESSE SANCHEZ, LLC

1056

OPERATING ACCOUNT

98 1/2 BROAD ST SUITE B  
CHARLESTON, SC 29401

67-776532-9431

DATE

9/10/18

PAY TO THE  
ORDER OF

SOUTH CAROLINA COURT OF APPEALS

\$ 25 <sup>00</sup>/<sub>100</sub>

TWENTY-FIVE

DOLLARS



Wells Fargo Bank, N.A.  
South Carolina  
wellsfargo.com

FOR

FILING FEE CASE NO. 2016-2339

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SEP 17 2018

SC Court of Appeals



September 10, 2018

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

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

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SC Court of Appeals

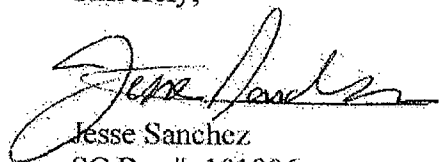
**Re: Patricia Damico, et. al. v. Lennar Carolinas, LLC, et al.  
Case No. 2014-CP-08-2424; Appellate Case No. 2016-2339.**

Dear Ms. Kitchings,

Enclosed herewith, please find one (1) original and six (6) copies of *Respondents' Motion For Second Extension of Time to File and Serve its 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 at 843-814-8181.

Sincerely,



Jesse Sanchez  
SC Bar #: 101906

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

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

## FAX COVER SHEET

TO	The Hon. Jenny Abbott Kitcthings South Carolina Court of Appeals
COMPANY	
FAXNUMBER	18037341839
FROM	Jesse Sanchez
DATE	2018-09-11 02:45:29 GMT
RE	Patricia Damico, et. al. v. Lennar Carolinas, LLC, et al. - Appellate Case No. 2016-2339.

### COVER MESSAGE

Please find the attached cover letter, motion, and proof of service. Should you have any questions, please do not hesitate to contact me directly at 843-814-8181.

Thank you,

Jesse Sanchez  
SC Bar #101906

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