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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Cynthia Graham Howe, Master-in-Equity, Fifteenth Judicial Circuit

RECEIVED

Case No. 2009-CP-26-620
Appellate Case No. 2016-001075

DEC 06 2018

SC Court of Appeals

Ellis E. Smith, individually and on behalf of A & E Constructors and Consultants, Inc., a South Carolina Corporation.....Plaintiffs,

v.

Arthur Wayne Vereen, Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction, Inc., Linda C. Vereen, Arthur W. Vereen, as Trustee of the Arthur W. Vereen Residence Trust, and Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust,Defendants

AND

Arthur Wayne Vereen, individually and on behalf of A & E Constructors and Consultants, Inc., and 29th Place Developers, Inc.,.....Third-Party Plaintiffs,

v.

E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc., and Ellis E. Smith, individually,.....Third-Party Defendants,

Of whom Arthur Wayne Vereen, individually and on behalf of A & E Constructors and Consultants, Inc., Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction Company, Inc., Linda C. Vereen, Arthur Wayne Vereen, as Trustee of the Arthur W. Vereen Residence Trust, Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust, and 29th Place Developers, In. are the Appellants,

And

Ellis E. Smith, individually and on behalf of A & E Constructors and Consultants, Inc., a South Carolina Corporation and E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc., and Ellis E. Smith, individually are the Respondents.

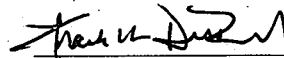
MOTION FOR EXTENSION OF 3.5 PAGES

Respondent A & E Constructors and Consultants, Inc. (A&E) respectfully requests an additional 3.5 pages to allow its final brief to comply with the page limitations set by the Court.

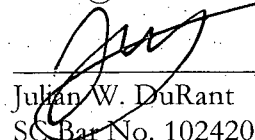
On August 7, 2018, A&E moved for an extension of time to file its initial brief from August 22, 2018 to September 21, 2018. It also moved for an additional fifteen pages. Respondent requested additional time and additional space to adequately explain the factual background of this case—three-plus-years' worth of transactions—and to contest the issues raised by Appellants. Counsel for Appellants consented to that motion.

On August 22, 2018, A&E filed its initial brief. On September 6, 2018, the Court declined to act on A&E's motion because the initial brief was timely filed and did not exceed the page limitations.

After placing the record cites in the final brief, the brief now totals 53.5 pages. That brief has already been sent, but hasn't yet been received, by the Clerk's Office for filing. At this stage in the briefing, A&E may not cut its brief down to comply with the fifty-page limit without running afoul of Rule 201(b). Even if it could, A&E's brief is dedicated to responding to the issues raised by Appellants and preserving well-supported arguments in favor of sustaining judgment rendered in its favor below. Accordingly, A&E respectfully asks the Court to grant its motion for an additional 3.5 pages so that its final brief may comply with the appellate rules.



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Case No. 2009-CP-26-620
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Ellis E. Smith, individually and on behalf of A & E Constructors and Consultants, Inc., a South Carolina Corporation.....Plaintiffs,

v.

Arthur Wayne Vereen, Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction, Inc., Linda C. Vereen, Arthur W. Vereen, as Trustee of the Arthur W. Vereen Residence Trust, and Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust,Defendants

AND

Arthur Wayne Vereen, individually and on behalf of A & E Constructors and Consultants, Inc., and 29th Place Developers, Inc.,.....Third-Party Plaintiffs,

v.

E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc., and Ellis E. Smith, individually,.....Third-Party Defendants,

Of whom Arthur Wayne Vereen, individually and on behalf of A & E Constructors and Consultants, Inc., Park Place Properties of Myrtle Beach, LLC, Parkway Offices, LLC, Arthur Vereen Construction Company, Inc., Linda C. Vereen, Arthur Wayne Vereen, as Trustee of the Arthur W. Vereen Residence Trust, Linda C. Vereen, as Trustee of the Linda C. Vereen Residence Trust, and 29th Place Developers, In. are the Appellants,

And

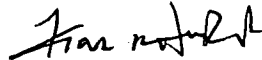
Ellis E. Smith, individually and on behalf of A & E Constructors and Consultants, Inc., a South Carolina Corporation and E. Smith and Sons Construction, LLC, EES Construction and Consulting, Inc., and Ellis E. Smith, individually are the Respondents.

CERTIFICATE OF SERVICE

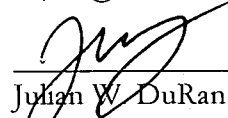
I certify that I have served this motion by mailing the same on December 5, 2018 to counsel of record for all parties at the addresses indicated below:

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Attorneys for Appellants



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Attorneys for A&E Constructors and
Consultants, LLC



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Julian W. DuRant **
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December 5, 2018

BY MAIL

The Honorable Jenny Abbot Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
Fax No. 803-734-1839

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SC Court of Appeals

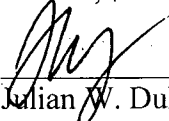
RE: 2016-001075
Smith, et al. v. Vereen, et al.

Dear Ms. Kitchings:

Please find enclosed the original motion for an extension of 3.5 pages to Respondent A & E Constructors and Consultants, Inc.'s final brief along with six copies of that motion. On December 4, 2018, I transmitted that motion by fax to your office.

Also enclosed is the original certificate of service reflecting the date of service upon on all parties. A check for the \$50.00 filing fee is enclosed as well.

Thanks,


Julian W. DuRant
Julian@DuRantLawOffice.com
S.C. Bar No. 102420

CC (by mail): Counsel of Record

✓



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December 4, 2018

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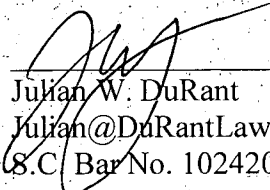
Dear Ms. Kitchings:

Please find enclosed a motion for an extension of 3.5 pages to Respondent A & E Constructors and Consultants, Inc.'s final brief.

We will mail a copy to the Court (along with an executed certificate of service to all counsel of record) tomorrow.

Please contact me to acknowledge receipt.

Thanks,



Julian W. DuRant
Julian@DuRantLawOffice.com
S.C. Bar No. 102420

CC (By Fax): Counsel of Record

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UNITED STATES US

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COLUMBIA SC 29201

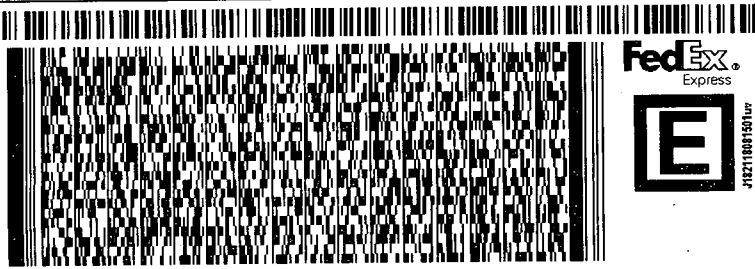
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(803) 734-1891

REF: SMITH ET. AL. V. VEREEN ET.AL

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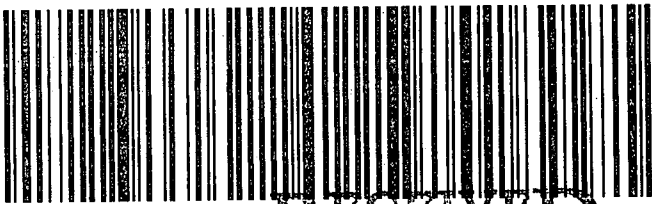


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SC Court of Appeals

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