

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh, Circuit Court Judge

RECEIVED
JAN 28 2019
SC Court of Appeals

Appellate Case No. 2018-002277

American Star Development SC, LLC; KKMC Investments, LLC; and 211, LLC Plaintiffs,

v.

PulteGroup, Inc.; Pulte Home Corporation, n/k/a Pulte Home Company, LLC;
and JW Homes, LLC. Defendants,

Of which American Star Development SC, LLC is the Appellant,

And Pulte Home Corporation, n/k/a Pulte Home Company, LLC is the Respondent.

APPELLANT'S MOTION FOR EXTENSION OF TIME

Pursuant to South Carolina Appellate Court Rules 240 and 263(b), Appellant American Star Development SC, LLC moves for an extension of thirty (30) days from the existing deadline to file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this matter. Appellant filed its initial Notice of Appeal on December 20, 2018. Appellant received the transcript of the hearing in this matter on January 5, 2019.

Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal are now due on or before February 4, 2019. Appellant respectfully submits that a thirty (30) day extension to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal is appropriate due to Appellant's counsel's existing work demands and previously scheduled work commitments will make it difficult for Appellant's counsel to analyze and

designate the matters to be included in the record, fully research the legal issues involved in this matter, and prepare and file the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal under the existing deadline.

Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal will be due on or before March 6, 2019, if the extension is granted.

For the reasons set forth herein, Appellant requests a thirty (30) day extension to serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respectfully submitted,



E. Brandon Gaskins (S.C. Bar No. 72374)
Charles R. Scarminach (S.C. Bar No. 101582)
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78 Wentworth Street
Charleston, SC 29401
(843) 579-7038

Attorneys for Appellant

January 25, 2019

Charleston, SC

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
The Honorable R. Lawton McIntosh, Circuit Court Judge

Case No. 2018-CP-10-2175

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JAN 28 2019
SC Court of Appeals

American Star Development SC, LLC; KKMC Investments, LLC; and 211, LLC Plaintiffs,

v.

PulteGroup, Inc.; Pulte Home Corporation, n/k/a Pulte Home Company, LLC;
and JW Homes, LLC..... Defendants,

Of whom American Star Development SC, LLC is the..... Appellant,

Of whom Pulte Home Corporation, n/k/a Pulte Home Company, LLC
is the Respondent.

PROOF OF SERVICE

This is to certify that I have this day served counsel for the Respondent in the foregoing matter with a copy of the foregoing **APPELLANT’S MOTION FOR EXTENSION OF TIME** by depositing the same in the United States Mail with adequate postage affixed thereon to ensure delivery, addressed as follows:

G. Trenholm Walker, Esquire
John P. Linton, Jr., Esquire
Walker Gressette Freeman & Linton, LLC
P.O. Box 22167
Charleston, SC 29413-2167

*Attorneys for Defendants PulteGroup, Inc., and Pulte Home Corporation,
n/k/a Pulte Home Company, LLC*

Susan M. Gaddy, Esquire
The Gaddy Law Firm, LLC
1156 Bowman Rd., Ste. 200
Mt. Pleasant, SC 29464

Attorneys for Defendant JW Homes, LLC



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*Attorneys for Appellant American Star
Development SC, LLC*

January 25, 2019

Charleston, SC

Moore & Van Allen

January 25, 2019

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Post Office Box 22828
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The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

**Re: American Star Development vs. PulteGroup, Inc.
Appellate Case No. 2018-002277
MVA File No. 042460.01**

Dear Ms. Kitchings:

Enclosed Please find the original and seven copies of Appellant's Motion for Extension of Time in the above-referenced matter along with Proof of Service and a check in the amount of \$50.00 as the required filing fee. Please file the original and return a filed stamped copy to me in the enclosed self-addressed stamped envelope.

Thank you for your assistance with this matter and please call me with any questions.

Sincerely,

Moore & Van Allen PLLC



E. Brandon Gaskins

EBG/ws

Enclosures as stated.

cc w/enc.: G. Trenholm Walker, Esquire
John P. Linton, Jr., Esquire
Susan M. Gaddy, Esquire

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SC Court of Appeals

Charlotte, NC
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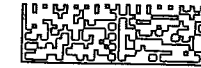
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