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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2015-CP-10-00955

RECEIVED

MAY 13 2019

SC Court of Appeals

Appellate Case No. 2019-000238

Ex Parte:

Builders Mutual Insurance Company, Nationwide Mutual Fire Insurance Company, Nationwide Mutual Insurance Company, and Nautilus Insurance Company, Appellants,

In Re:

Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., and Jack Love, individually, and on behalf of all others similarly situated, Plaintiffs,

v.

Island Pointe, LLC; Leonard T. Brown; Complete Building Corporation; Tri-County Roofing, Inc.; Creekside, Inc.; American Residential Services, LLC d/b/a Rescue Rooter Charleston; Andersen Windows, Inc.; Atlantic Building Construction Services, Inc. n/k/a Atlantic Construction Services, Inc.; Christopher N. Union; Builder Services Group, Inc. d/b/a Gale Contractor Services; Novus Architects, Inc. f/k/a SGM Architects, Inc.; Tallent and Sons, Inc.; W C Services, Inc., CRG Engineering, Inc.; Certainteed Corporation; Kelly Flooring Products, Inc. d/b/a Carpet Baggers and John Doe 1-

60.....Defendants.

Tri-County Roofing, Inc.....Third-Party Plaintiff,

v.

Cornerstone Construction and Mark Malloy d/b/a Cornerstone Construction; Gutter Works, Inc. and Michael L. Segars d/b/a Gutter Works; Mr. Gutter; Litchfield Seamless Gutters & Windows, LLC and Thomas Litchfield d/b/a Litchfield Seamless Gutter; Miracle Siding, LLC and Wilson

Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo Vasquez; and Chris a/k/a John Doe 61.....Third-Party Defendants.

And

Complete Building Corporation, Inc.....Third-Party Plaintiff,

v.

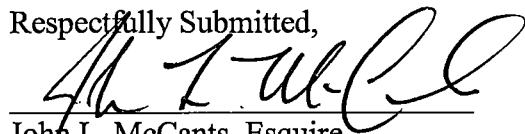
Alderman Construction; Stanley’s Vinyl Fence Designs; Cohen’s Drywall; and Mosley Concrete.....Third-Party Defendants.

Of whom Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc. and Jack Love, individually, and behalf of all others similarly situated, Tri-County Roofing, Inc., Stanley’s Vinyl Fence Designs, and W C Services, Inc. are the Respondents.

Motion for Extension of Time to file Initial Brief on Behalf of Appellant Builders Mutual Insurance Company

Pursuant to Rule 240, SCACR, the Appellant Builders Mutual Insurance Company (“Builders Mutual”) hereby request a thirty (30) day extension to serve and file its Initial Brief pursuant to Rule 208, SCACR. This request is the first one by Builders Mutual. Builders Mutual makes this request because the trial of the underlying action, from which the appeal arises, is presently taking place and may not conclude until May 14, 2019 or May 15, 2019. Builders Mutual seeks additional time to assess the conclusion of the trial for the Initial Brief.

Respectfully Submitted,



John L. McCants, Esquire
Rogers Lewis Jackson Mann & Quinn, LLC
PO Box 11803 (29211)
1901 Main Street, Suite 1200
Columbia, SC 29201
Tele: (803) 978-2834
Fax: (803) 252-3653
jmccants@rogerslewis.com
Attorney for Appellant Builders Mutual Insurance Company

May 13, 2019

Counsel of Record:

Justin O'Toole Lucey, Esq.
Stephanie D. Drawdy, Esq.
Joshua F. Evans, Esq.
Justin O'Toole Lucey, P.A.
P.O. Box 806 (29465)
415 Mill Street
Mt. Pleasant, South Carolina 29464
jlucey@lucey-law.com
sdrawdy@lucey-law.com
jevans@lucey-law.com
Attorneys for Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc.,
and Jack Love, individually, and on behalf of all others similarly situated
843-849-8400

Edward D. Buckley, Jr., Esq.
Young Clement Rivers, LLP
Post Office Box 993
Charleston, South Carolina 29402
ebuckley@ycrlaw.com
Attorneys for Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc.,
and Jack Love, individually, and on behalf of all others similarly situated
843-577-4000

F. Cordes Ford, IV, Esq.
Heather Chiovaro, Esq.
Womble Bond Dickinson
Post Office Box 999
Charleston, South Carolina 29402
cordes.ford@wbd-us.com
heather.chiovaro@wbd-us.com
Attorneys for American Residential Services, LLC d/b/a ARS Rescue Rooter Charleston
843-720-4631

Graham Powell, Esq.
John J. Dodds, IV, Esq.
Wall Templeton
145 King Street, Suite 300
Post Office Box 1200
Charleston, South Carolina 29402
Graham.Powell@WallTempleton.com
John.Dodds@WallTempleton.com
Attorneys for Andersen Windows Inc.
843-329-9500

S. Markey Stubbs, Esq.
Baker Ravenel & Bender, LLP
Post Office Box 8057
Columbia, South Carolina 29202
mstubbs@brblegal.com
Attorney for Creekside, Inc.
803-799-9091

David S. Cobb, Esq.
Turner Padgett Graham & Laney, P.A.
Post Office Box 22129
Charleston, South Carolina 29413-2129
dcobb@turnerpadgett.com
Attorney for Complete Building Corporation, Inc.
843-576-2800

David A. Anderson, Esq.
Jasmine Wyman, Esq.
Richardson Plowden & Robinson, P.A.
Post Office Drawer 7788
Columbia, South Carolina 29202
danderson@richardsonplowden.com
jwyman@RichardsonPlowden.com
Attorneys for Mosley Concrete
803-771-4400

Everett A. Kendall, II, Esq.
Richard E. McLawhorn, Jr., Esq.
Murphy & Grantland, P.A.
Post Office Box 6648
Columbia, South Carolina 29260
rkendall@murphygrantland.com
Attorneys for Complete Building Corporation
803-782-4100

Brent M. Boyd, Esq.
Robert M. Peele, III, Esq.
Murphy & Grantland, PA
Post Office Box 6648
Columbia, SC 29211
bboyd@murphygrantland.com
rpeele@murphygrantland.com
Attorneys for Gutter Works, Gutter Works, Inc., Kelly Flooring Products, Inc. d/b/a Carpet
Baggers, and Michael L. Segars
803-782-4100

Bonum S. Wilson, III, Esq.
Brandon T. Reeser, Esq.
Wilson & Heyward, LLC
Post Office Box 13177
Charleston, South Carolina 29422
bwilson@wilsonheyward.com
breeser@wilsonheyward.com
Attorneys for Miracle Siding, LLC, Wilson Lucas Sales d/b/a Miracle Siding, LLC and Eloy
Alonzo Vasquez
843-762-4567

Andrew N. Cole, Esq.
Collins and Lacey
Post Office Box 12487
Columbia, South Carolina 29211
acole@collinsandlacy.com
Attorney for JMC Construction Inc., JMC Construction, LLC, Tri County Roofing, Inc.
803-256-2660

James H. Elliott, Jr., Esq.
F. Heyward Grimball, Esq.
Richardson Plowden & Robinson, P.A.
171 Church Street, Suite 150
Charleston, South Carolina 29401
jelliott@richardsonplowden.com
fhgrimball@richardsonplowden.com
Attorneys for Atlantic Construction Services, Inc. and Keller Electric, LLC
843-805-6550

Steven L. Smith, Esq.
Zachary J. Closser, Esq.
Samuel M. Wheeler, Esq.
Smith Closser, P.A.
Post Office Box 40578
Charleston, South Carolina 29423
Attorneys for Tri County Roofing, Inc.
843-760-0220

Christopher M. Ramsey, Esq.
The Bostic Law Firm Group, P.A.
2236 Ashley Crossing Drive
Charleston, South Carolina 29414
cramsey@bosticlafirm.com
Attorney for Island Pointe, LLC and Christopher N. Union
843-571-2525

Bachman S. Smith, IV, Esq.
Haynsworth Sinkler Boyd, P.A.
Post Office Box 340
Charleston, South Carolina 29402-0340
bsmithiv@hsblawfirm.com
Attorney for Russell Rusty Hill, Rustys Heating and Air and Rustys Heating & Air
843-722-3366

Ian S. Ford, Esq.
Hunter H. James
Ford Wallace Thomson, LLC
715 King Street
Charleston, South Carolina 29403
Ian.Ford@FordWallace.com
Hunter.James@FordWallace.com
Attorneys for John F. Toolin Heat and Air and John Toolin
843-277-2011

W. Duffie Powers, Esq.
R. Batten Farrar, Esq.
Carter Massingill
Gallivan, White & Boyd, P.A.
Post Office Box 10589
Greenville, South Carolina 29603
dpowers@gwblawfirm.com
bfarrar@gwblawfirm.com
cmassingill@gwblawfirm.com
Attorneys for Tallent and Sons, Inc.
843-271-9580

Michael E. Wright, Esq.
Dunn Hollingsworth, Esq.
Robertson Hollingsworth Manos & Rahn, LLC
550 King Street, Suite 300
Charleston, South Carolina 29403
mew@roblaw.com
Attorney for Atlantic Construction Services, Inc.
843-619-0262

James A. Atkins, Esq.
Clawson and Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492-8144
jatkins@clawsonandstaubes.com
Attorney for W C Services, Inc.
800-774-8242

Erin D. Dean, Esq.
Tupper, Grimsley, Dean & Canaday, P.A.
Post Office Box 2055
Beaufort, South Carolina 29901-2055
erindean@tgdcpa.com
Attorney for Warren Anderson
843-524-1116

G. Troy Thames, Esq.
Willson, Jones, Carter & Baxley, PA
421 Wando Park Blvd., Suite 100
Mt. Pleasant, South Carolina 29464
tthames@wjlaw.net
Attorney for Stanley's Vinyl Fence Designs
843-284-1080

Janice Holmes, Esq.
Shelley S. Montague, Esq.
Gallivan White & Boyd, P.A.
Post Office Box 7368
Columbia, South Carolina 29202
iholmes@GWBlawfirm.com
smontague@GWBlawfirm.com
Attorneys for Nautilus Insurance Company
803-779-1833

Christopher M. Adams, Esq.
James L. Williams, Esq.
Collins & Lacy, P.C.
Post Office Box 12487
Columbia, South Carolina 29211
cadams@collinsandlacy.com
jwilliams@collinsandlacy.com
Attorneys for Martin Barr and Port City Structured Wiring
803-256-2660

Shanna M. Stephens, Esq.
Jonathan L. Anderson, Esq.
Thomas F. Drazan, Esq.
Anderson, Reynolds & Stephens, LLC
Post Office Box 87
Charleston, South Carolina 29401
sstephens@arlawsc.com
janderson@arlawsc.com
Attorneys for Keller Electric LLC and Mr. Gutter
843-723-0185

Joseph S. McCue, Esq.
Collins & Lacy, P.C.
Post Office Box 12487
Columbia, South Carolina 29211
jmccue@collinsandlacy.com
Attorney for Builder Services Group Inc. s/b/a Gale Contractor Services
803-256-2660

James H. Elliott, Jr. , Esq.
Megan White, Esq.
Richardson Plowden & Robinson, P.A.
Post Office Box 21203
Charleston, South Carolina 29413
jelliott@richardsonplowden.com
mwhite@richardsonplowden.com
Attorneys for Atlantic Construction Services, Inc. and Keller Electric, LLC
843-805-6550

R. Michael Ethridge, Esq.
Suzanne E. Deters, Esq.
Ethridge Law Group, LLC
Post Office Box 20969
Charleston, South Carolina 29413
methridge@ethridgelawgroup.com
sdeters@ethridgelawgroup.com
Attorneys for Liliana Rojas Flores, Cornerstone Construction and Mark Malliy d/b/a Cornerstone
Construction, Mark Malloy
843-614-0007

J.R. Murphy, Esq.
Timothy J. Newton, Esq.
Murphy Grantland, P.A.
Post Office Box 6648
Columbia, SC 29260
tnewton@murphygrantland.com
Attorneys for Nationwide Mutual Fire Insurance Company
803-782-410

Nicholas A. Farr, Esq.
Gallivan White Boyd
P.O. Box 10589 (29603)
One Liberty Square
55 Beattie Place, Suite 1200
Greenville, SC 29601
nfarr@gwblawfirm.com
Attorney for State Farm Insurance Company
864-271-9580

W. James Flynn, Esq.
Goodman McGuffey LLP
7 Technology Circle, Suite 460
Columbia, SC 29203-8403
jflynn@GM-LLP.com
Attorney for FCCI Insurance Company
800-404-6930

Robert Trippett Boineau III
J. Adam Ribock
McAngus, Goudelock & Courie, LLC
P.O. Box 12519
Columbia, SC 29211
Trippett.boineau@mgclaw.com
Adam.ribock@mgclaw.com
Attorneys for Alderman Construction
803-227-4937

O. Carlisle Edwards, Jr., Esq.
McAngus, Goudelock & Courie, LLC
P.O. Box 650007
Mt. Pleasant, SC 29465
cedwards@mgclaw.com
Attorney for Cohen's Drywall
843-576-2949

Eric G. Fosmire, Esq.
The Fosmire Law Firm, LLC
Post Office Box 153
Columbia, SC 29202
Eric.fosmire@fosmirelaw.com
Attorney for Thomas Litchfield and Litchfield Seamless Gutters and Windows, LLC
803-546-1067

Michael R. Daniel, Esq.
Daniel Law Firm
336 Cardinal Road
Elloree, SC 29047
mdaniel@daniellawfirm.net
Attorney for Leonard T. Browne a/k/a Tommy Browne
843-729-6472

James Lynn Werner, Esq.
John G. Tamasitis, Esq.
Parker Poe Adams & Bernstein, LLP
1221 Main Street, Suite 1100
Post Office Box 1509 (29202)
Columbia, SC 29201
jimwener@parkerpoe.com
johntamasitis@parkerpoe.com
Attorneys for Defendant CertainTeed Corporation
803-253-8913

Michael B.T. Wilkes, Esq.
Alex Joyner, Esq.
Wilkes Law Firm, P.A.
127 Dunbar Street, Suite 200
Spartanburg, SC 29306
mwilkes@wilkeslaw.com
ajoyner@wilkeslaw.com
Attorneys for Novus Architects, Inc. f/k/a SCM Architects, Inc.
864-591-1113

Kevin M. O'Brien, Esq.
Phelps Dunbar, LLP
GlenLake One
4140 ParkLake Avenue, Suite 100
Raleigh, NC 27612-3723
Kevin.obrien@phelps.com
Attorney for H&A Framing Construction, LLC
919-789-5302

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v.

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Tri-County Roofing, Inc.....Third-Party Plaintiff,

v.

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LLC and Thomas Litchfield d/b/a Litchfield Seamless Gutter; Miracle Siding, LLC and Wilson Lucas Sales d/b/a Miracle Siding, LLC; Mark Palpoint a/k/a Micah Palpoint; Elroy Alonzo Vasquez; and Chris a/k/a John Doe 61.....Third-Party Defendants.

And

Complete Building Corporation, Inc.....Third-Party Plaintiff,

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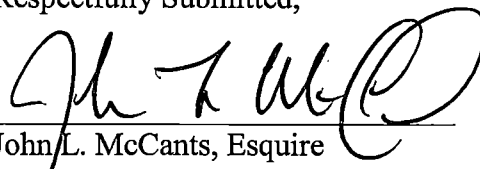
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PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time to file Initial Brief on Behalf of Appellant Builders Mutual Insurance Company on Other Counsel of Record by depositing a copy of it in the United States Mail, postage prepaid, on May 13, 2019 addressed to their attorneys of record, listed as follows:

Respectfully Submitted,



John L. McCants, Esquire
Rogers Lewis Jackson Mann & Quinn, LLC
PO Box 11803 (29211)
1901 Main Street, Suite 1200
Columbia, SC 29201
Tele: (803) 978-2834
Fax: (803) 252-3653
jmccants@rogerslewis.com
Attorney for Appellant Builders Mutual Insurance
Company

May 13, 2019

Counsel of Record:

Justin O'Toole Lucey, Esq.
Stephanie D. Drawdy, Esq.
Joshua F. Evans, Esq.
Justin O'Toole Lucey, P.A.
P.O. Box 806 (29465)
415 Mill Street
Mt. Pleasant, South Carolina 29464
jlucey@lucey-law.com
sdrawdy@lucey-law.com
jevans@lucey-law.com

Attorneys for Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc.,
and Jack Love, individually, and on behalf of all others similarly situated
843-849-8400

Edward D. Buckley, Jr., Esq.
Young Clement Rivers, LLP
Post Office Box 993
Charleston, South Carolina 29402
ebuckley@ycrlaw.com

Attorneys for Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc.,
and Jack Love, individually, and on behalf of all others similarly situated
843-577-4000

F. Cordes Ford, IV, Esq.
Heather Chiovaro, Esq.
Womble Bond Dickinson
Post Office Box 999
Charleston, South Carolina 29402
cordes.ford@wbd-us.com
heather.chiovaro@wbd-us.com

Attorneys for American Residential Services, LLC d/b/a ARS Rescue Rooter Charleston
843-720-4631

Graham Powell, Esq.
John J. Dodds, IV, Esq.
Wall Templeton
145 King Street, Suite 300
Post Office Box 1200
Charleston, South Carolina 29402
Graham.Powell@WallTempleton.com
John.Dodds@WallTempleton.com
Attorneys for Andersen Windows Inc.
843-329-9500

S. Markey Stubbs, Esq.
Baker Ravenel & Bender, LLP
Post Office Box 8057
Columbia, South Carolina 29202
mstubbs@brblegal.com
Attorney for Creekside, Inc.
803-799-9091

David S. Cobb, Esq.
Turner Padgett Graham & Laney, P.A.
Post Office Box 22129
Charleston, South Carolina 29413-2129
dcobb@turnerpadgett.com
Attorney for Complete Building Corporation, Inc.
843-576-2800

David A. Anderson, Esq.
Jasmine Wyman, Esq.
Richardson Plowden & Robinson, P.A.
Post Office Drawer 7788
Columbia, South Carolina 29202
danderson@richardsonplowden.com
jwyman@RichardsonPlowden.com
Attorneys for Mosley Concrete
803-771-4400

Everett A. Kendall, II, Esq.
Richard E. McLawhorn, Jr., Esq.
Murphy & Grantland, P.A.
Post Office Box 6648
Columbia, South Carolina 29260
rkendall@murphygrantland.com
Attorneys for Complete Building Corporation
803-782-4100

Brent M. Boyd, Esq.
Robert M. Peele, III, Esq.
Murphy & Grantland, PA
Post Office Box 6648
Columbia, SC 29211
bboyd@murphygrantland.com
rpeele@murphygrantland.com
Attorneys for Gutter Works, Gutter Works, Inc., Kelly Flooring Products, Inc. d/b/a Carpet
Baggers, and Michael L. Segars
803-782-4100

Bonum S. Wilson, III, Esq.
Brandon T. Reeser, Esq.
Wilson & Heyward, LLC
Post Office Box 13177
Charleston, South Carolina 29422
bwilson@wilsonheyward.com
breeser@wilsonheyward.com
Attorneys for Miracle Siding, LLC, Wilson Lucas Sales d/b/a Miracle Siding, LLC and Eloy
Alonzo Vasquez
843-762-4567

Andrew N. Cole, Esq.
Collins and Lacey
Post Office Box 12487
Columbia, South Carolina 29211
acole@collinsandlacy.com
Attorney for JMC Construction Inc., JMC Construction, LLC, Tri County Roofing, Inc.
803-256-2660

James H. Elliott, Jr., Esq.
F. Heyward Grimball, Esq.
Richardson Plowden & Robinson, P.A.
171 Church Street, Suite 150
Charleston, South Carolina 29401
jelliott@richardsonplowden.com
fhgrimball@richardsonplowden.com
Attorneys for Atlantic Construction Services, Inc. and Keller Electric, LLC
843-805-6550

Steven L. Smith, Esq.
Zachary J. Closser, Esq.
Samuel M. Wheeler, Esq.
Smith Closser, P.A.
Post Office Box 40578
Charleston, South Carolina 29423
Attorneys for Tri County Roofing, Inc.
843-760-0220

Christopher M. Ramsey, Esq.
The Bostic Law Firm Group, P.A.
2236 Ashley Crossing Drive
Charleston, South Carolina 29414
cramsey@bosticlaw.com
Attorney for Island Pointe, LLC and Christopher N. Union
843-571-2525

Bachman S. Smith, IV, Esq.
Haynsworth Sinkler Boyd, P.A.
Post Office Box 340
Charleston, South Carolina 29402-0340
bsmithiv@hsblawfirm.com
Attorney for Russell Rusty Hill, Rustys Heating and Air and Rustys Heating & Air
843-722-3366

Ian S. Ford, Esq.
Hunter H. James
Ford Wallace Thomson, LLC
715 King Street
Charleston, South Carolina 29403
Ian.Ford@FordWallace.com
Hunter.James@FordWallace.com
Attorneys for John F. Toolin Heat and Air and John Toolin
843-277-2011

W. Duffie Powers, Esq.
R. Batten Farrar, Esq.
Carter Massingill
Gallivan, White & Boyd, P.A.
Post Office Box 10589
Greenville, South Carolina 29603
dpowers@gwblawfirm.com
bfarrar@gwblawfirm.com
cmassingill@gwblawfirm.com
Attorneys for Tallent and Sons, Inc.
843-271-9580

Michael E. Wright, Esq.
Dunn Hollingsworth, Esq.
Robertson Hollingsworth Manos & Rahn, LLC
550 King Street, Suite 300
Charleston, South Carolina 29403
mew@roblaw.com
Attorney for Atlantic Construction Services, Inc.
843-619-0262

James A. Atkins, Esq.
Clawson and Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492-8144
jatkins@clawsonandstaubes.com
Attorney for W C Services, Inc.
800-774-8242

Erin D. Dean, Esq.
Tupper, Grimsley, Dean & Canaday, P.A.
Post Office Box 2055
Beaufort, South Carolina 29901-2055
erindean@tgdcpa.com
Attorney for Warren Anderson
843-524-1116

G. Troy Thames, Esq.
Willson, Jones, Carter & Baxley, PA
421 Wando Park Blvd., Suite 100
Mt. Pleasant, South Carolina 29464
tthames@wjlaw.net
Attorney for Stanley's Vinyl Fence Designs
843-284-1080

Janice Holmes, Esq.
Shelley S. Montague, Esq.
Gallivan White & Boyd, P.A.
Post Office Box 7368
Columbia, South Carolina 29202
iholmes@GWBlawfirm.com
smontague@GWBlawfirm.com
Attorneys for Nautilus Insurance Company
803-779-1833

Christopher M. Adams, Esq.
James L. Williams, Esq.
Collins & Lacy, P.C.
Post Office Box 12487
Columbia, South Carolina 29211
cadams@collinsandlacy .com
jwilliams@collinsandlacy.com
Attorneys for Martin Barr and Port City Structured Wiring
803-256-2660

Shanna M. Stephens, Esq.
Jonathan L. Anderson, Esq.
Thomas F. Drazan, Esq.
Anderson, Reynolds & Stephens, LLC
Post Office Box 87
Charleston, South Carolina 29401
sstephens@arslawsc.com
janderson@arslawsc.com
Attorneys for Keller Electric LLC and Mr. Gutter
843-723-0185

Joseph S. McCue, Esq.
Collins & Lacy, P.C.
Post Office Box 12487
Columbia, South Carolina 29211
jmccue@collinsandlacy.com
Attorney for Builder Services Group Inc. s/b/a Gale Contractor Services
803-256-2660

James H. Elliott, Jr. , Esq.
Megan White, Esq.
Richardson Plowden & Robinson, P.A.
Post Office Box 21203
Charleston, South Carolina 29413
jelliott@richardsonplowden.com
mwhite@richardsonplowden.com
Attorneys for Atlantic Construction Services, Inc. and Keller Electric, LLC
843-805-6550

R. Michael Ethridge, Esq.
Suzanne E. Deters, Esq.
Ethridge Law Group, LLC
Post Office Box 20969
Charleston, South Carolina 29413
methridge@ethridgelawgroup.com
sdeters@ethridgelawgroup.com
Attorneys for Liliana Rojas Flores, Cornerstone Construction and Mark Malliy d/b/a Cornerstone
Construction, Mark Malloy
843-614-0007

J.R. Murphy, Esq.
Timothy J. Newton, Esq.
Murphy Grantland, P.A.
Post Office Box 6648
Columbia, SC 29260
tnewton@murphygrantland.com
Attorneys for Nationwide Mutual Fire Insurance Company
803-782-410

Nicholas A. Farr, Esq.
Gallivan White Boyd
P.O. Box 10589 (29603)
One Liberty Square
55 Beattie Place, Suite 1200
Greenville, SC 29601
nfarr@gwblawfirm.com
Attorney for State Farm Insurance Company
864-271-9580

W. James Flynn, Esq.
Goodman McGuffey LLP
7 Technology Circle, Suite 460
Columbia, SC 29203-8403
jflynn@GM-LLP.com
Attorney for FCCI Insurance Company
800-404-6930

Robert Trippett Boineau III
J. Adam Ribock
McAngus, Goudelock & Courie, LLC
P.O. Box 12519
Columbia, SC 29211
Trippett.boineau@mgclaw.com
Adam.ribock@mgclaw.com
Attorneys for Alderman Construction
803-227-4937

O. Carlisle Edwards, Jr., Esq.
McAngus, Goudelock & Courie, LLC
P.O. Box 650007
Mt. Pleasant, SC 29465
cedwards@mgclaw.com
Attorney for Cohen's Drywall
843-576-2949

Eric G. Fosmire, Esq.
The Fosmire Law Firm, LLC
Post Office Box 153
Columbia, SC 29202
Eric.fosmire@fosmirelaw.com
Attorney for Thomas Litchfield and Litchfield Seamless Gutters and Windows, LLC
803-546-1067

Michael R. Daniel, Esq.
Daniel Law Firm
336 Cardinal Road
Elloree, SC 29047
mdaniel@daniellawfirm.net
Attorney for Leonard T. Browne a/k/a Tommy Browne
843-729-6472

James Lynn Werner, Esq.
John G. Tamasitis, Esq.
Parker Poe Adams & Bernstein, LLP
1221 Main Street, Suite 1100
Post Office Box 1509 (29202)
Columbia, SC 29201
jimwener@parkerpoe.com
johntamasitis@parkerpoe.com
Attorneys for Defendant CertainTeed Corporation
803-253-8913

Michael B.T. Wilkes, Esq.
Alex Joyner, Esq.
Wilkes Law Firm, P.A.
127 Dunbar Street, Suite 200
Spartanburg, SC 29306
mwilkes@wilkeslaw.com
ajoyner@wilkeslaw.com
Attorneys for Novus Architects, Inc. f/k/a SCM Architects, Inc.
864-591-1113

Kevin M. O'Brien, Esq.
Phelps Dunbar, LLP
GlenLake One
4140 ParkLake Avenue, Suite 100
Raleigh, NC 27612-3723
Kevin.obrien@phelps.com
Attorney for H&A Framing Construction, LLC
919-789-5302

ROGERS ♦ LEWIS
— ROGERS LEWIS JACKSON MANN & QUINN, LLC —

P.O. Box 11803 (29211)
1901 Main Street, Suite 1200
Columbia, SC 29201
Phone (803) 978-2834
jmccants@rogerslewis.com
www.rogerslewis.com

May 13, 2019

Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 20211

Attention: Shelby Spencer – Appeals Specialist

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SC Court of Appeals

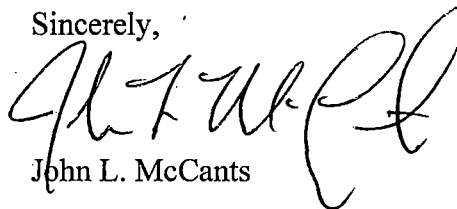
Re: Ex Parte: Builders Mutual Insurance Company, Appellant
In Re: Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc.
Civil Action No.: 2015-CP-10-00955
Appellate Case No.: 2019-000238

Dear Ms. Spencer:

I represent Appellant Builders Mutual Insurance Company. I am enclosing an original and six (6) copies of a Motion for Extension of Time to file and serve Builders Mutual's Initial Brief pursuant to Rule 208, SCACR. The Initial Brief is presently due on May 15, 2019. I am requesting a thirty (30) day extension. This request is the first one for an extension.

Should you otherwise have any questions, please do not hesitate to contact counsel.

Sincerely,



John L. McCants

Counsel of Record on Next Page:

Other Counsel of Record:

Justin O'Toole Lucey
Stephanie D. Drawdy
Justin O'Toole Lucey, P.A.
415 Mill Street
Mt. Pleasant, South Carolina 29464
jlucey@lucey-law.com
sdrawdy@lucey-law.com
jevans@lucey-law.com
Edward D. Buckley, Jr.
Young Clement Rivers, LLP
Post Office Box 993
Charleston, South Carolina 29402
ebuckley@ycrlaw.com

F. Cordes Ford, IV
Heather Chiovaro
Womble Bond Dickinson
Post Office Box 999
Charleston, South Carolina 29402
cordes.ford@wbd-us.com
heather.chiovaro@wbd-us.com

Graham Powell
John J. Dodds, IV
145 King Street, Suite 300
Post Office Box 1200
Charleston, South Carolina 29402
(843) 329-9500
Graham.Powell@WallTempleton.com
John.Dodds@WallTempleton.com

S. Markey Stubbs
Baker Ravenel & Bender, LLP
Post Office Box 8057
Columbia, South Carolina 29202
mstubbs@brblegal.com

David S. Cobb
Turner Padgett Graham & Laney, P.A.
Post Office Box 22129
Charleston, South Carolina 29413-2129
dcobb@turnerpadgett.com

David A. Anderson
Jasmine Wyman
Richardson Plowden & Robinson, P.A.
Post Office Drawer 7788
Columbia, South Carolina 29202
danderson@richardsonplowden.com
jwyman@RichardsonPlowden.com

Everett A. Kendall, II
Murphy & Grantland, P.A.
Post Office Box 6648
Columbia, South Carolina 29260
rkendall@murphygrantland.com

Brent M. Boyd
Robert M. Peele, III
Murphy & Grantland, PA
Post Office Box 6648
Columbia, SC 29211
bboyd@murphygrantland.com
rpeele@murphygrantland.com

Bonum S. Wilson, III
Brandon T. Reeser
Wilson & Heyward, LLC
Post Office Box 13177
Charleston, South Carolina 29422
bwilson@wilsonheyward.com
breeser@wilsonheyward.com

Andrew N. Cole
Collins and Lacey
Post Office Box 12487
Columbia, South Carolina 29211
acole@collinsandlacy.com

James H. Elliott, Jr.
F. Heyward Grim ball
Richardson Plowden & Robinson, P.A.
171 Church Street, Suite 150
Charleston, South Carolina 2941
jelliott@richardsonplowden.com
fhgrimball@richardsonplowden.com

Steven L. Smith
Zachary J. Closser

Samuel M. Wheeler
Smith Closser, P.A.
Post Office Box 40578
Charleston, South Carolina 29423

Christopher M. Ramsey
The Bostic Law Firm Group, P.A.
2236 Ashley Crossing Drive
Charleston, South Carolina 29414
cramsey@bosticlaw.com

Bachman S. Smith, IV
Haynsworth Sinkler Boyd, P.A.
Post Office Box 340
Charleston, South Carolina 29402-0340
bsmithiv@hsblawfirm.com

Ian S. Ford
Hunter H. James
Ford Wallace Thomson, LLC
715 King Street
Charleston, South Carolina 29403
Ian.Ford@FordWallace.com
Hunter.James@FordWallace.com

W. Duffie Powers
R. Batten Farrar
Carter Massingill
Gallivan, White & Boyd, P.A.
Post Office Box 10589
Greenville, South Carolina 29603
dpowers@gwblawfirm.com
bfarrar@gwblawfirm.com
cmassingill@gwblawfirm.com

Michael E. Wright
Dunn Hollingsworth
Robertson Hollingsworth Manos & Rahn, LLC
550 King Street, Suite 300
Charleston, South Carolina 29403
mew@roblaw.com

James A. Atkins
Clawson and Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, South Carolina 29492-8144

jatkins@clawsonandstaubes.com

Erin D. Dean
Tupper, Grimsley, Dean & Canaday, P.A.
Post Office Box 2055
Beaufort, South Carolina 29901-2055
erindean@tgdcpa.com

G. Troy Thames
Willson, Jones, Carter & Baxley, PA
421 Wando Park Blvd., Suite 100
Mt. Pleasant, South Carolina 29464
tthames@wjlaw.net

Janice Holmes
Shelley S. Montague
Gallivan White & Boyd, P.A.
Post Office Box 7368
Columbia, South Carolina 29202
iholmes@GWBlawfirm.com
smontague@GWBlawfirm.com

Christopher M. Adams
James L. Williams
Collins & Lacy, P.C.
Post Office Box 12487
Columbia, South Carolina 29211
cadams@collinsandlacy .com
jwilliams@collinsandlacy.com

Shanna M. Stephens
Jonathan L. Anderson
Anderson, Reynolds & Stephens, LLC
Post Office Box 87
Charleston, South Carolina 29401
sstephens@arlawsc.com
janderson@arlawsc.com

Joseph S. McCue
Collins & Lacy, P.C.
Post Office Box 12487
Columbia, South Carolina 29211
jmccue@collinsandlacy.com

James H. Elliott, Jr.
Megan White

Richardson Plowden & Robinson, P.A.
Post Office Box 21203
Charleston, South Carolina 29413
jelliott@richardsonplowden.com
mwhite@richardsonplowden.com

R. Michael Ethridge
Suzanne E. Deters
Ethridge Law Group, LLC
Post Office Box 20969
Charleston, South Carolina 29413
methridge@ethridgelawgroup.com
sdeters@ethridgelawgroup.com