

IN 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

Appellate Case No. 2019-000238

RECEIVED
MAY 14 2019
SC Court of Appeals

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 Lowe, 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 Does 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 Lowe,
Individually, and on behalf of all others similarly situated,
Tri-County Roofing, Inc.; Stanley’s Vinyl Fence Designs;
and WC Services, Inc. are..... Respondents,

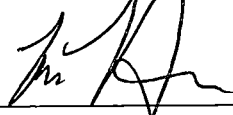
**MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF
ON BEHALF OF
APPELLANT NATIONWIDE MUTUAL FIRE INSURANCE COMPANY**

Pursuant to Rule 240, SCACR, Appellant Nationwide Mutual Fire Insurance
Company (hereinafter “Nationwide Mutual Fire”) hereby requests a thirty (30) day
extension of time to file and serve its Initial Brief and Designation of Matter under Rules
208 and 209, SCACR. This request is the first one by Nationwide Mutual Fire. This

request is made because the trial of the underlying action, from which this appeal arises, is presently taking place and may not conclude until after the deadline, which is currently May 15, 2019. Because Nationwide Mutual Fire's appeal concerns issues that may be presented and adjudicated at trial, issues on appeal will likely be impacted by the result of the trial. Thus, Nationwide Mutual Fire requests this extension to assess the conclusion of the trial and brief the issues accordingly.

Respectfully submitted,

MURPHY & GRANTLAND, P.A.



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Company

Columbia, SC
May 14, 2019

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
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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 Does 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 Lowe,
Individually, and on behalf of all others similarly situated,
Tri-County Roofing, Inc.; Stanley’s Vinyl Fence Designs;
and WC Services, Inc. are..... Respondents,

PROOF OF SERVICE

I certify that I have served the Appellant’s Motion for Extension of Time, via regular and electronic mail, on May 14, 2019, to the following attorneys of record for opposing partie(s):

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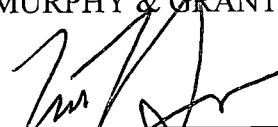
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Respectfully submitted,

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May 14, 2019

RECEIVED

MAY 14 2019

SC Court of Appeals

VIA HAND DELIVERY

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

Re: **Nationwide Mutual Insurance Company v. Palmetto Pointe at Peas Island, et al. vs. Stanley's Vinyl Fence Design, et al.**

Civil Action No.: 2015-CP-10-0955
Appellate Case No. : 2019-000238
M&G File No.: 1150-0972

Dear Ms. Kitchings:

Enclosed please find an original and six (6) copy of a Motion for Extension of Time to File Brief on behalf of Appellant Nationwide Mutual Fire Insurance Company pursuant to Rule 208, SCACR in connection with this matter. 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. Also enclosed is our firm check in the sum of \$50.00 representing the filing fee.

If you have any questions, please do not hesitate to contact me.

Best Regards

Timothy J. Newton

TJN/jmm

Enclosures

cc: All Counsel of Record