

**THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

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

Ex Parte:

Builders Mutual Insurance Company,
Nationwide Mutual Fire Insurance Company,
Nationwide Mutual Insurance Company,
Nautilus Insurance Company, and
FCCI 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; TriCounty 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.; WC 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 on behalf of all others similarly situated,
Tri-County Roofing, Inc., Stanley's Vinyl Fence Designs,
and WC Services, Inc. are the

Respondents.

**PLAINTIFFS-RESPONDENTS' MOTION FOR EXTENSION OF TIME TO
FILE INITIAL BRIEF AND DESIGNATION OF MATTER**

Justin O. Lucey
Stephanie D. Drawdy
Joshua F. Evans
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mt. Pleasant, SC 29464
P.O. Box 806 (29465)
(843) 849-8400

*Attorneys for Plaintiffs-Respondents
Palmetto Pointe at Peas Island
Condominium Property Owners Association,
Inc., and Jack Love, Individually, and on
behalf of all others similarly situated*

COMES NOW Plaintiffs-Respondents Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., and Jack Love, Individually, and on behalf of all others similarly situated, pursuant to Rule 240 of the *South Carolina Appellate Court Rules*, and respectfully requests this Court grant them a thirty-day (30) extension of time in which to file Plaintiffs-Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal ("DOM") in this appellate matter. The basis for this motion is that Plaintiffs-Respondents' appellate counsel was involved in the trial of the underlying action, from which the appeal arises, from May 6, 2019 to May 16, 2019. Immediately following that trial, Plaintiffs-Respondents' appellate counsel tried another construction defect case in Aiken County that did not conclude until May 29, 2019. Further, Plaintiffs-Respondents' appellate counsel has other case deadlines this week before this Court, therefore additional time is needed to complete the Initial Brief and the DOM. This request is the first one by Plaintiffs-Respondents.

Based upon the current briefing schedule, Plaintiffs-Respondents' Initial Brief and DOM are currently due on or before Monday, July 15, 2019. Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Plaintiffs-Respondents' Initial Brief and DOM would then be due on or before Wednesday, August 14, 2019. Absent extreme exigent circumstances, no additional extensions are anticipated.

Finally, Plaintiffs-Respondents respectfully request this Court hold the briefing time in abeyance until such time as this motion may be considered and ruled upon.

Respectfully submitted,

By: _____

Justin O. Lucey
Stephanie D. Drawdy
Joshua F. Evans
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mt. Pleasant, SC 29464
P.O. Box 806 (29465)
(843) 849-8400

*Attorneys for Plaintiffs-Respondents
Palmetto Pointe at Peas Island
Condominium Property Owners Association,
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Mount Pleasant, South Carolina

Dated: July 8, 2019

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S.C. SUPREME COURT

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Tallent and Sons, Inc.; WC Services, Inc.; CRG
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PROOF OF SERVICE

Justin O. Lucey
Stephanie D. Drawdy
Joshua F. Evans
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mt. Pleasant, SC 29464
P.O. Box 806 (29465)
(843) 849-8400

*Attorneys for Plaintiffs-Respondents
Palmetto Pointe at Peas Island
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I, Justin Lucey, of Justin O'Toole Lucey, P.A., counsel for Plaintiffs-Respondents, Palmetto Pointe at Peas Island Condominium Property Owners Association, Inc., and Jack Love, Individually, and on behalf of all others similarly situated, certify that **PLAINTIFFS-RESPONDENTS' MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF AND DOM** was served on all other parties to this appeal on July 8, 2019, a copy thereof deposited in the U.S. Mail properly posted for delivery to the following addressees:

John Lucius McCants, Esquire
ROGERS LEWIS JACKSON
MANN & QUINN, LLC
P.O. Box 11803
Columbia, SC 29211

*Attorneys for Appellant
Builders Mutual Insurance Company*

J.R. Murphy, Esquire
Timothy J. Newton, Esquire
MURPHY GRANTLAND, P.A.
P.O. Box 6648
Columbia, SC 29260

*Attorneys for Appellants
Nationwide Mutual Insurance Company and
Nationwide Mutual Fire
Insurance Company*

Janice Holmes, Esquire
Shelley S. Montague, Esquire
GALLIVAN WHITE & BOYD, P.A.
P.O. Box 7368
Columbia, SC 29201

*Attorneys for Appellant
Nautilus Insurance Company*

Steven L. Smith, Esquire
Zachary J. Closser, Esquire
Samuel M. Wheeler, Esquire
SMITH CLOSSER, P.A.
P.O. Box 40578
Charleston, SC 29423

*Attorneys for Respondent
Tri-County Roofing, Inc.*

G. Troy Thames, Esquire
WILSON, JONES, CARTER & BAXLEY, PA
421 Wando Park Blvd., Ste. 100
Mt. Pleasant, SC 29464

*Attorneys for Respondent
Stanley's Vinyl Fence Designs*

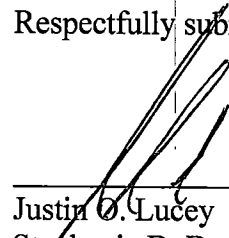
James A. Atkins, Esquire
CLAWSON AND STAUBES, LLC
126 Seven Farms Dr., Ste. 200
Charleston, SC 29492

*Attorneys for Respondents
WC Services, Inc.*

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,

By:


Justin O. Lucey
Stephanie D. Drawdy
Joshua F. Evans
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mt. Pleasant, SC 29464
P.O. Box 806 (29465)
(843) 849-8400

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Dated: July 8, 2015