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May 29 2020

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM CHARLESTON COUNTY  
MIKELL ROSS SCARBOROUGH, PRESIDING MASTER-IN-EQUITY

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Emory J. Infinger and Assoc. v. N. Charleston Com. Ctr.  
Appellate Case No. 2020-000732

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Emory J. Infinger and Associates Construction Company, Inc.,.....Respondent,

v.

North Charleston Community Interfaith Shelter, Inc., Bobby Knight, in his official capacity as Chairman and President of Board for The Good Neighbor Center, Bank of America, N.A., S.C.S State Housing and Development Authority, Atlantic Construction Services, Inc., L & W Corporation d/b/a CK Supply, Now Mechanical, Inc. Wilson and Associates Electrical Contractor, Inc., Defendants,

Of whom North Charleston Community Interfaith Shelter, Inc., is the.....Appellant.

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EMORY J. INFINGER AND ASSOCIATES CONSTRUCTION COMPANY, INC.'S  
MOTION FOR EXTENSION OF TIME TO FILE RETURN TO PETITION

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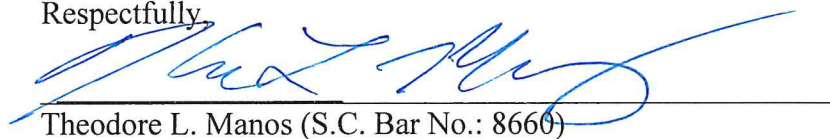
Theodore L. Manos (S.C. Bar No.: 8660)  
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Attorney for Respondent Emory J. Infinger and  
Associates Construction Company, Inc.

Respondent Emory J. Infinger and Associates Construction Company, Inc. (“Infinger”) hereby moves, pursuant to Rule 240, SCACR for an order granting a forty-five (45) day extension of time to file its Return to the Petition. Appellant’s Petition was initially filed on April 30, 2020 and received by Respondent on May 8, 2020 making Respondent’s Return to Petition due on June 8, 2020 pursuant to Rule 242, SCACR.

The grounds for this Motion are that the parties have agreed to settle the dispute but such settlement will require at least thirty (30) days to be consummated which would necessarily occur after the current deadline for Respondent to file its Return to the Petition. Assuming settlement is consummated as contemplated between the parties, the Petition will be dismissed by agreement between the parties pursuant to Rule 260 (b), SCACR.

The Court has not previously extended the time for filing a Return to the Petition. The undersigned counsel has consulted with J. Seth Whipper, Esquire, counsel for Appellant, and he has no objection to and consents to Respondent’s Motion. The current deadline for the filing of Infinger’s Return is June 8, 2020. If Infinger’s request is granted, its new deadline will be July 25, 2020.

Respectfully,



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Construction Company, Inc.**

May 29, 2020  
Charleston, South Carolina