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STATE OF SOUTH CAROLINA
In the Supreme Court

S.C. SUPREME COURT

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

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

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.

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


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 fifteen-day (15) 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 Court previously extended the time for Respondent to Answer until July 15, 2020. The Parties have now reached a settlement, exchanged a Final Settlement Agreement and Release and are awaiting final execution by Petitioner’s Board Members to finalize the settlement.

The grounds for this Motion are that the parties have agreed to settle the dispute but such settlement will require at least fifteen (15) days to be consummated which would necessarily occur after the current deadline for Respondent to file its Return to the Petition on July 15, 2020. Upon consummation, the Petition will be dismissed by agreement between the parties pursuant to Rule 260 (b), SCACR.

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 July 15, 2020. If Infinger’s request is granted, its new deadline will be July 30, 2020.

Respectfully,



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**Attorney for Respondent Emory J. Infinger and Associates
Construction Company, Inc.**

July 10, 2020
Charleston, South Carolina