

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Larry B. Hyman, Circuit Court Judge

Case No. 2020-000528

Vista Del Mar Condominium Association;
Dennis M. Merritt, Trustee of the Dennis M.
Merritt Living Trust; John J. Hawkins;
Eleanor N. Hawkins, Plaintiffs,

v.

Vista Del Mar Condominiums, LLC;
Atlantic Development Company, LLC;
Atlantic Coast Funding, LLC; and
John Doe, a Nominal Defendant
Representing all Persons or Entities
Unknown Who May Claim an Interest in
the Property that is the subject of this action,
Defendants,

And

Vista Del Mar Condominiums, LLC;
Atlantic Development Company, LLC;
Third-Party Plaintiffs,

v.

Barbara P. Swartz; Nancy S. Case; Winston-
Salem Daly Development, LLC; Charles F.
Weber; Mark L. Skowron, as Trustee of
Mark L. Skowron Revocable Trust dated
April 24, 2002 and Gail L. Skowron, as
Trustee of the Gail L. Skowron Revocable
Trust dated 04/24/2002; Norman W. Taylor,
Trustee of the Norman W. Taylor Revocable
Living Trust dated April 28, 2008; Tim

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Mitchell Development, LLC; Eric R. Sklut and Lori Levine Sklut; Fred C. Warehime and Patricia F. Warehime; James W. Blackburn, III and Peggy S. Blackburn; Barbara I. Bowser; KHDH, LLC; Beth G. Bauknight; Roderick D. Sanders (or his successor), as Trustee of the Amended and Restated Revocable Declaration of Trust of Anne Mallard Sanders u/a/d January 16, 2015; GGK Properties, LLC; Leon Levine and Sandra Levine; Joseph Moglia and Amy H. Moglia; Angela M. Mason, as Trustee of the Angela Mason Revocable Trust dated June 9, 2003 and amended and restated May 27, 2007; Dexter R. Barbee, Sr.; Daniel M. Talbert, Sr.; Craig W. Lawton; Craig W. Lawton; David N. Dalton; Janet W. Weed, Trustee of the Janet W. Weed Revocable Trust under Trust Instrument dated April 17, 2013; Robert H. Messier, Jr. and Janice H. Messier; Jeffrey Schneider, Trustee for the Jeffrey Schneider Revocable Trust dated August 1, 2017; Phillip Kleinman and Charisse D. Kleinman; Stephen Gatto and Camille Gatto; Lutz Real Estate, LP; Astorg Imports, Inc.; ABLP Properties, LLC; Sutton Children, LLC; Daniel C. Schuster and Mardell J. Schuster; Roy C. Putrino and Eileen M. Putrino; Spencer Squier and Sherri Squier; VDM 1004, LLC; Roger B. Matherly and Bonnie V. Matherly; ITAC 203, LLC; Rebecca R. Shroff and Kersi S. Shroff; Sandra P. Levine and Lori Ann Sklut, Co-Trustees of the Irrevocable Trust F/B/O Amy Beth Levine dated September 18, 1986; David E. Lukowski; Richard B. Kline and Leslie Kline; James P. Aplington and Carol D. Aplington; Michael L. Van Glish and Judith K. Van Glish; Anna A. Olsen; Anne Marie Murray; William J. Pridemore and Irina V. Pridemore; William B. Davidson and Julia Davidson; Bruce Alexander Henderson and Valerie Sokolov; Mark W. Lee; Sue David Kline; Thomas Mckiernan and Anne Mckiernan; Philip H. Strobl and Amy Mott Strobl; James M. Faircloth and Sylvia Faircloth; Cheryl Jackson and Phillip

H. Jackson; Weldon Riggs and Tiffany Riggs; Janet P. Merritt, Trustee of the Janet P. Merritt Living Trust U/A dated March 24, 2000; Melia Mooney Pavoris; William L. Mansfield and Patricia S. Mansfield; Stuart W. Gibbs and Helen R. Gibbs; Michael R. Blackburn and Pamela M. Blackburn; Jeffrey G. Edwards and Teresa T. Edwards; and Michael J. Wilk, Third-Party Defendants,

Of which Vista Del Mar Condominium Association; Dennis M. Merritt, Trustee of the Dennis M. Merritt Living Trust; John J. Hawkins; Eleanor N. Hawkins; Barbara P. Swartz; Nancy S. Case; Winston-Salem Daly Development, LLC; Charles F. Weber; Mark L. Skowron, as Trustee of Mark L. Skowron Revocable Trust dated April 24, 2002 and Gail L. Skowron, as Trustee of the Gail L. Skowron Revocable Trust dated 04/24/2002; Norman W. Taylor, Trustee of the Norman W. Taylor Revocable Living Trust dated April 28, 2008; Tim Mitchell Development, LLC; Eric R. Sklut and Lori Levine Sklut; Fred C. Warehime and Patricia F. Warehime; James W. Blackburn, III and Peggy S. Blackburn; Barbara I. Bowser; KHDH, LLC; Beth G. Bauknight; Roderick D. Sanders (or his successor), as Trustee of the Amended and Restated Revocable Declaration of Trust of Anne Mallard Sanders u/a/d January 16, 2015; GGK Properties, LLC; Leon Levine and Sandra Levine; Joseph Moglia and Amy H. Moglia; Angela M. Mason, as Trustee of the Angela Mason Revocable Trust dated June 9, 2003 and amended and restated May 27, 2007; Dexter R. Barbee, Sr.; Daniel M. Talbert, Sr.; Craig W. Lawton; Craig W. Lawton; David N. Dalton; Janet W. Weed, Trustee of the Janet W. Weed Revocable Trust under Trust Instrument dated April 17, 2013; Robert H. Messier, Jr. and Janice H. Messier; Jeffrey Schneider, Trustee for the

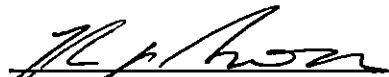
Jeffrey Schneider Revocable Trust dated August 1, 2017; Phillip Kleinman and Charisse D. Kleinman; Stephen Gatto and Camille Gatto; Lutz Real Estate, LP; Astorg Imports, Inc.; ABLP Properties, LLC; Sutton Children, LLC; Daniel C. Schuster and Mardell J. Schuster; Roy C. Putrino and Eileen M. Putrino; Spencer Squier and Sherri Squier; VDM 1004, LLC; Roger B. Matherly and Bonnie V. Matherly; ITAC 203, LLC; Rebecca R. Shroff and Kersi S. Shroff; Sandra P. Levine and Lori Ann Sklut, Co-Trustees of the Irrevocable Trust F/B/O Amy Beth Levine dated September 18, 1986; David E. Lukowski; Richard B. Kline and Leslie Kline; James P. Aplington and Carol D. Aplington; Michael L. Van Glish and Judith K. Van Glish; Anna A. Olsen; Anne Marie Murray; William J. Pridemore and Irina V. Pridemore; William B. Davidson and Julia Davidson; Bruce Alexander Henderson and Valerie Sokolov; Mark W. Lee; Sue David Kline; Thomas Mckiernan and Anne Mckiernan; Philip H. Strobl and Amy Mott Strobl; James M. Faircloth and Sylvia Faircloth; Cheryl Jackson and Phillip H. Jackson; Weldon Riggs and Tiffany Riggs; Janet P. Merritt, Trustee of the Janet P. Merritt Living Trust U/A dated March 24, 2000; Melia Mooney Pavoris; William L. Mansfield and Patricia S. Mansfield; Stuart W. Gibbs and Helen R. Gibbs; Michael R. Blackburn and Pamela M. Blackburn; Jeffrey G. Edwards and Teresa T. Edwards; and Michael J. Wilk, are the Appellants,

And
Of which Vista Del Mar Condominiums, LLC;
Atlantic Development Company, LLC;
Atlantic Coast Funding, LLC; and
John Doe, a Nominal Defendant
Representing all Persons or Entities
Unknown Who May Claim an Interest in
the Property that is the subject of this action
are the Respondents.

**NOTICE OF PETITION AND PETITION FOR
AN EXTENSION OF TIME FOR APPELLANTS
TO FILE RECORD ON APPEAL**

The Appellants, by and through counsel, hereby requests an extension of two weeks (14 days) to file the Record on Appeal. Currently, the Record on Appeal will be due on November 20, 2020, and if this Petition is granted, the Record on Appeal will be due on December 4, 2020. The Appellant submits that this Petition for Extension is not intended for purposes of delay. Further, counsel for Appellant has communicated regarding this matter with the counsel for Respondent, and Respondent's counsel has no objection to said extension.

**WRIGHT, WORLEY, POPE, EKSTER
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November 10, 2020

Other Counsel of Record:

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John Doe, a Nominal Defendant
Representing all Persons or Entities

Unknown Who May Claim an Interest in
the Property that is the subject of this action
are the Respondents.

PROOF OF SERVICE

I certify that I have served a copy of the **Appellants' Notice of Petition and Petition for An Extension of Time For Appellants to File the Record on Appeal** in the above-captioned appeal on the following individuals by United States Mail, with sufficient first-class postage affixed, addressed as follows:

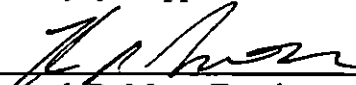
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Demetri K. Koutrakos, Esquire
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Columbia, SC 29202-1390

**** signature page follows ****

**WRIGHT, WORLEY, POPE, EKSTER
& MOSS, PLLC**

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– and –

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Nov 12, 2020

WRIGHT, WORLEY, POPE, EKSTER & MOSS, PLLC

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NAPOLEON B. BAREFOOT, JR.*
BOYD T. WORLEY
PRESTON B. HILTON
RICHARD S. "RICK" PARROTTE
CHRISTOPHER C. RUSSELL
BRITTANY C. MOORE*
THOMAS V. ALDRIDGE, JR.
DAVID H. COOLEY*
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MARTHA HENLEY SLEDGE (Retired)

D.F. McGOUGAN, JR.
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**licensed in NC & SC
*licensed in NC, DC & SC
*DRC-Certified Family Financial Mediator
*Of Counsel

November 11, 2020

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SC Court of Appeals


The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Vista Del Mar Condominium Association, et al, Appellants, v. Atlantic
Development Company, LLC, et al, Respondents
Appellate Case No.: 2020-000528
WWPEM File No.: SC-6791-003

Dear Ms. Kitchings:

Please find enclosed for filing an original and six (6) copies of Appellants' Petition for an Extension of Time to File the Record on Appeal along with this firm's check in the amount of \$50.00 for the filing fee in connection with the above-referenced case. I have also enclosed a Certificate of Service evidencing that the same has been served upon all counsel of record.

Sincerely,


Kenneth R. Moss

KRM/tt
Enclosures: as stated
CC: Counsel of Record
Client

CPU



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Hon. Jenny Abbott Kitchings
Clerk of Court
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P.O. Box 11629
Columbia, SC 29211

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EXPECTED DELIVERY DAY: 11/13/20
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