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SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Jennifer B. McCoy, Circuit Court Judge

Civil Action No.: 2016-CP-10-01833

Appellate Case No. 2021-001055

Andrew and Kimberly McIntire, Appellants,

v.

Seaquest Development Company, Inc.; Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction; Coastal Window & Door Center of Charleston, LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co., Inc.; Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; and New South Construction Supply, LLC, Defendants,

AND

Seaquest Development Company, Inc., Third-Party Plaintiff/Appellant,

v.

Architectural Products of Charleston, LLC; and Sealtight of South Carolina, LLC, Third-Party Defendants,

of which Red Bay Constructors Corp.; Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction; Coastal Window & Door Center of Charleston, LLC; Carolina Window & Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC; Southcoast Exteriors, Inc.; Michael Casteen d/b/a Michigan Prestain Co.; Coastal Plumbing & Gas, LLC; Foam Insulation Co., Inc.; Jerry Comer d/b/a Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.; Carolina Pest Solutions, Inc.; and New South Construction Supply, LLC are the Respondents.

**MOTION FOR EXTENSION OF TIME
TO FILE RESPONDENTS' BRIEF**

This is an appeal from the denial of a Joint Motion for Clarification filed in the trial court by Plaintiffs / Appellants Andrew and Kimberly McIntire (hereinafter "Owners") and Defendant / Third-Party Plaintiff / Appellant Seaquest Development Company, Inc. (hereinafter "General Contractor"). The orders on appeal ruled that the undersigned Respondent Subcontractors were dismissed from this case as the result of a prior order by Former Chief Justice Toal.

Appellant Owners filed their Initial Brief on December 6, 2021. However, Appellant General Contractor was granted an extension of time until January 5, 2022.

Respondents' initial brief will be responsive to both appellants' initial briefs. Respondents' initial brief is due 30 days after the service of appellant's brief. Rule 208(a)(2), SCACR. In the interest of judicial economy, Respondents hereby request an extension of time to file their initial brief until thirty (30) days after service of Appellant General Contractor's Initial Brief. Respondents also request a stay of time limits pursuant to Rule 240(b), SCACR in the event this Court does not grant Respondents' motion prior to January 5, 2022 due to the holidays.

Respectfully submitted,

December 17, 2021

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