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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.

Sequest 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

Sequest 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

[Signature page follows]

James H. Elliott
Richardson Plowden & Robinson, P.A.
235 Magrath Darby Blvd., Suite 100
Mt. Pleasant, SC 29464

- and -

s/Timothy J. Newton
Brent M. Boyd
Timothy J. Newton
Murphy & Grantland, P.A.
P.O. Box 6648
Columbia, South Carolina 29260
Attorneys for New South Construction
Supply, LLC

s/Danielle F. Payne (with permission)
Danielle F. Payne
McAngus Goudelock & Courie, LLC
P.O. Box 65007
Mt. Pleasant, SC 29464
Attorney for Red Bay Constructors

s/Shelley S. Montague (with permission)
Shelley S. Montague
Gallivan White & Boyd, P.A.
1201 Main St., Suite 1200
Columbia, SC 29201
Attorney for Benzenberg Custom Cabinets,
Inc.

s/Erin D. Dean (with permission)
Erin D. Dean
Stacy P. Canaday
Tupper Grimsley Dean & Cannaday, P.A.
111 Bay St.
Beaufort, SC 29902
Attorneys for Jonathan Marshall Construction

s/Suzanne C. Ulmer (with permission)
Suzanne C. Ulmer
Kernodle Coleman
P.O. Box 13897
Charleston, SC 29422
Attorney for Carolina Pest Solutions, Inc.

s/Shanna M. Stephens (with permission)
Shanna M. Stephens
Anderson Reynolds & Stephens, LLC
37 ½ Broad Street
Charleston, SC 29401

-and-

Preston B. Dawkins, Jr.
Aiken Bridges Elliott Tyler & Saleeby, P.A.
P.O. Drawer 1931
Florence, SC 29552
Attorneys for Coastal Plumbing & Gas, LLC

s/John E. Rogers, II (with permission)
John E. Rogers, II
Ward Law Firm, P.A.
233 Pine St.
Spartanburg, SC 29302
Attorney for Southcoast Exteriors, Inc.

D. Summers Clarke, II (with permission)
D. Summers Clarke, II
Barnwell Whaley Patterson & Helms, LLC
P.O. Drawer H
Charleston, SC 29402
Attorney for Foam Insulation Co., Inc.

s/Albert A. Lacour, III (with permission)
Albert A. Lacour, III
Clawson & Saubes, LLC
125 Seven Farms Dr., Suite 200
Charleston, SC 29492
Attorney for Lowcountry Fireplaces, Inc.

s/William W. Watkins, Jr. (with permission)
William W. Watkins, Jr.
Wall Templeton & Haldrup, P.A.
145 King St., Suite 300
Charleston, South Carolina 29401
Attorney for Jerry Comer d/b/a Jerry's Tile &
Marble

Justine Quattlebaum

From: Justine Quattlebaum
Sent: Friday, December 17, 2021 1:01 PM
To: Court Of Appeals Filings
Cc: Tim J. Newton; jgr@epting-law.com; sbrown@ycrlaw.com; ebuckley@ycrlaw.com; jdaigle@ycrlaw.com; rhines@ycrlaw.com; smontague@gwblawfirm.com; sulmer@kernodlelaw.com; sstephens@arslawsc.com; pbd@aikenbridges.com; Trey Watkins; john.dodds@walltempleton.com; sclarke@barnwell-whaley.com; erindean@tgdcpa.com; staceycanaday@tgdcpa.com; alacour@clawsonandstaubes.com; jelliott@richardsonplowden.com; samhanafi@gmail.com; Brent M. Boyd; danielle.payne@mgclaw.com; jrogers@wardfirm.com; agg@epting-law.com; pbell@ycrlaw.com; ajeancharles@ycrlaw.com; mjones@gwblawfirm.com; kgarvin@kernodlelaw.com; receptionist1@arslawsc.com; bdg@aikenbridges.com; sandra.schultz@walltempleton.com; jsegell@barnwell-whaley.com; edde-filings@tgdcpa.com; morganreeves@tgdcpa.com; 'shatch@clawsonandstaubes.com; mmayden@richardsonplowden.com; samia@letssimplify.com; Barbara.A.-Wilson; lisa.carducci@mgclaw.com; ssantana@wardfirm.com
Subject: Andrew and Kimberly McIntire vs. Seaquest Development Company, Inc., et al. (M&G File No.: 2280-0096)
Attachments: Mot 4 Ext - Init Br.pdf

Good Afternoon All:

Please find attached a Motion for Extension in the above-referenced case which is being submitted for filing. A hard copy is being placed in the mail along with a check in the amount of \$50.00 for the filing fee.

Thank you,



Murphy & Grantland, P.A.
Justine Quattlebaum
Legal Assistant to Phillip Florence, Jr., and Timothy J. Newton
jquattlebaum@murphygrantland.com
Post-Office Box 6648
Columbia, South Carolina 29260
803-782-4100 ext. 1244
803-782-4140 fax
www.murphygrantland.com

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Mumby & Grand, P.A.
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Columbia, SC 29260

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