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Feb 23 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Judge of the South Carolina Business Court

Appellant Case Number 2021-000767

C. Barry Dykes and Barbara Eisenhardt, Individually and Derivatively On Behalf Of The Wild Wing Plantation Property Owners’ Association, Inc.,Appellants,

v.

Wild Wing Company, LLC; Sunstar, LLC; Ralph R. Teal, Jr.; SLF IV/SBI Wild Wing, LLC; SLF IV/SBI JV, LLC; SLF IV/SBI Properties MM, LLC; SLF IV/SBI Development Holdings, LLC; Wild Wing Residential Development, LLC; Stratford Land Manager, L.P. d/b/a Stratford Land; Stratford Land Fund IV, L.P.; SB Investments LLC; Realstar Management, LLC; Graeme T. Black; H. Gilford Edwards; Founders Wild Wing, LLC; Founders Group International, LLC; Dan Liu; Xian “Nick” Dou; Rick Schultz; Rick Taylor and Thomas Plankers,Respondents,

Wild Wing Plantation Owners’ Association, Inc., Nominal Defendant.

RESPONDENTS’ MOTION FOR EXTENSION

COMES NOW THE Respondents, by and through their undersigned counsel, who jointly move this Honorable Court for a thirty (30) day extension to file the Initial Brief of Respondents and their Designation of Matter to be Included in the Record on Appeal in the above-captioned appeal. Respondents have consulted with opposing counsel and he has no objections.

WHEREFORE, Respondents respectfully request of this Honorable Court:

- (a) An Order granting all Respondents a thirty (30) day extension to April 6, 2022 to file the Initial Brief of Respondents and Designation of Matter to be Included in the Record on Appeal.

s/ Zachary J. Crowl

David B. Miller, Esq. (SC Bar No. 10296)
Zachary J. Crowl, Esq. (SC Bar No. 103617)
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SLF IV/SBI JV, LLC; SLF IV/SBI PROPERTIES MM, LLC;
SLF IV/SBI DEVELOPMENT HOLDINGS, LLC;
WILD WING RESIDENTIAL DEVELOPMENT, LLC;
STRATFORD LAND MANAGER, LP; STRATFORD LAND FUND IV, L.P.;
SB INVESTMENTS, LLC; REALSTAR MANAGEMENT, LLC;
FOUNDERS WILD WING, LLC; FOUNDERS GROUP INTERNATIONAL, LLC;
AND DAN LIU**

s/ Skyler C. Wilson

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s/ Scott F. Talley

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**COUNSEL FOR RESPONDENTS STRATFORD LAND
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STRATFORD LAND FUND IV, LP**

Dated: February 23, 2022

Other Counsel of Record:

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COUNSEL FOR APPELLANTS

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Wild Wing Plantation Owners' Association, Inc., Nominal Defendant.

PROOF OF SERVICE

I certify that I have served the Respondents' Motion for Extension to each of the following counsel of record via email February 23, 2022 as follows:

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MANAGER, LP d/b/a STRATFORD
LAND AND
STRATFORD LAND FUND IV, LP**

s/ Zachary J. Crowl

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WILD WING RESIDENTIAL DEVELOPMENT, LLC;
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SB INVESTMENTS, LLC; REALSTAR MANAGEMENT, LLC;
FOUNDERS WILD WING, LLC; FOUNDERS GROUP INTERNATIONAL, LLC;
AND DAN LIU**

Myrtle Beach, South Carolina
February 23, 2022

From: Robert Lyles <rtl@lylesfirm.com>
Sent: Thursday, February 17, 2022 9:57 AM
To: Scott Talley
Cc: Mackelcan, Douglas W.; Cliff Rollins; Crowl, Zachary J.; Miller, David B.; Wilson, Skyler C.; Moore, Patty
Subject: Re: C. Barry Dykes v. Wild Wing Company, LLC (2021-000767)

Ok by me.

Sent from my iPhone

On Feb 17, 2022, at 9:25 AM, Scott Talley <Scott@talleylawfirm.com> wrote:

Are we in agreement that the extension applies to any Respondent brief being on or before April 6, 2022?

From: Robert Lyles <rtl@lylesfirm.com>
Sent: Thursday, February 17, 2022 6:42 AM
To: Mackelcan, Douglas W. <dmackelcan@csvl.law>; Cliff Rollins <CRollins@RichardsonPlowden.com>; Crowl, Zachary J. <ZCrowl@bellamylaw.com>
Cc: Miller, David B. <DMiller@bellamylaw.com>; Wilson, Skyler C. <swilson@csvl.law>; Scott Talley <Scott@talleylawfirm.com>; Moore, Patty <PMoore@bellamylaw.com>
Subject: Re: C. Barry Dykes v. Wild Wing Company, LLC (2021-000767)

No objection, Doug.

From: "Mackelcan, Douglas W." <dmackelcan@csvl.law>
Date: Thursday, February 17, 2022 at 6:21 AM
To: Cliff Rollins <CRollins@RichardsonPlowden.com>, "Crowl, Zachary J." <ZCrowl@bellamylaw.com>
Cc: Robert Lyles <rtl@lylesfirm.com>, David Miller <DMiller@bellamylaw.com>, "Wilson, Skyler C." <swilson@csvl.law>, "scott@talleylawfirm.com" <scott@talleylawfirm.com>, Patty Moore <PMoore@bellamylaw.com>
Subject: RE: C. Barry Dykes v. Wild Wing Company, LLC (2021-000767)

We have no objection either. And, I think we will plan to request the same extension if no one objects to our doing so. Please let me know.

Thanks,
Doug

Doug MacKelcan

Partner

COPELAND, STAIR, VALZ & LOVELL

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40 Calhoun Street, Suite 400, Charleston, SC 29401

PLEASE NOTE NEW FIRM NAME AND EMAIL ADDRESS

From: Cliff Rollins <CRollins@RichardsonPlowden.com>

Sent: Thursday, February 17, 2022 5:33 AM

To: Crowl, Zachary J. <ZCrowl@bellamylaw.com>

Cc: Robert Lyles <rtl@lylesfirm.com>; Miller, David B. <DMiller@bellamylaw.com>; Wilson, Skyler C. <swilson@csvl.law>; Mackelcan, Douglas W. <dmackelcan@csvl.law>; scott@talleylawfirm.com; Moore, Patty <PMoore@bellamylaw.com>

Subject: Re: C. Barry Dykes v. Wild Wing Company, LLC (2021-000767)

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No objection here.

Cliff

Sent from my iPhone

On Feb 16, 2022, at 12:02, Crowl, Zachary J. <ZCrowl@bellamylaw.com> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Great, thank you.

From: Robert Lyles [<mailto:rtl@lylesfirm.com>]

Sent: Wednesday, February 16, 2022 10:43 AM

To: Crowl, Zachary J. <ZCrowl@bellamylaw.com>

Subject: Re: C. Barry Dykes v. Wild Wing Company, LLC (2021-000767)

No objection at all.

Sent from my iPhone

On Feb 16, 2022, at 10:42 AM, Crowl, Zachary J. <ZCrowl@bellamylaw.com> wrote:

Robert,

Just to clarify, you do object or you do not object?

From: Robert Lyles [<mailto:rtl@lylesfirm.com>]

Sent: Wednesday, February 16, 2022 9:57 AM

To: Crowl, Zachary J. <ZCrowl@bellamylaw.com>
Cc: Mackelcan, Douglas W. <dmackelcan@cskl.law>; swilson@cskl.law;
Cliff Rollins <CRollins@richardsonplowden.com>;
scott@talleylawfirm.com; Miller, David B. <DMiller@bellamylaw.com>;
Moore, Patty <PMoore@bellamylaw.com>
Subject: Re: C. Barry Dykes v. Wild Wing Company, LLC (2021-000767)

Of course.

Sent from my iPhone

On Feb 16, 2022, at 9:56 AM, Crowl, Zachary J.
<ZCrowl@bellamylaw.com> wrote:

Good morning everyone,

I hope you are all doing well.

As you know, our response brief is due on March 7, 2022. We need to request a 30 day extension from the Court to file our brief, making the deadline April 6, 2022. Does anyone object to this?

Thank you,
Zach



Zachary James Crowl
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February 23, 2022

VIA E-MAIL & U.S. MAIL

V. Claire Allen, Chief Deputy Clerk
The South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211
ctappfiling@sccourts.org

Re: C. Barry Dykes v. Wild Wing Company, LLC, et al.
Appellate Case No. 2021-000767

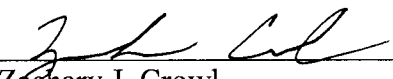
Dear Ms. Allen,

I hope this letter finds you well. Attached please find Respondents' Joint Motion for Extension regarding the above-referenced matter. Appellants' Initial Brief and Designation of Record were filed on February 4, 2022, making Respondents' Initial Briefs and Designations of Record due on March 7, 2022. All Respondents respectfully request a thirty (30) day extension to April 6, 2022 to file their Initial Briefs and Designations of Record. Opposing counsel has been consulted and does not object.

Also enclosed, please find this firm's check in the amount of \$50.00 for the filing fee. Thank you for your time and consideration of this matter.

Very truly yours,

BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.


Zachary J. Crowl

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