

Docketed 7/29/2025

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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

SUPERIOR COURT DEPT.
CIVIL ACTION NO. 2182CV01044

MARINA BAY RESIDENCES, LLC,
Plaintiff,
v.
CUBE 3 STUDIO, LLC and CALLAHAN,
INC.,
Defendants.

CALLAHAN, INC.
Third-Party Plaintiff,
v.
EXTERIOR DESIGNS, INC.; SHAWLEE
CORPORATION, LLC; WELLESLEY
ROOFING, INC; d/b/a/ BOSTON ROOFING;
OPTILINE ENTERPRISES, LLC; AND BASF
CORPORATION,
Third-Party Defendants

EXTERIOR DESIGNS, INC.
Fourth-Party Plaintiff
v.
COPPOLA CONSTRUCTION &
REMODELING CORP.; FASADEx
DESIGNS, LLC; IMPERIOR HAMMER
CONTRACTING, LLC; PROFESSIONAL
WATERPROOFING & CAULKING, LLC;
TIM CAREY; HARVEY INDUSTRIES, INC.;
PLYCEM USA LLC; RIVERSIDE
CONSTRUCTION, INC.; EMPRIE
REMODELING, INC.; WHITE CAP SUPPLY
HOLDINGS, LLC, successor-in-interest to
and/or formerly known as KENSEAL
CONSTRUCTION PRODUCTS
CORPORATION; and FRY REGLET
CORPORATION.
Fourth-Party Defendants.

JOINT MOTION TO CONTINUE MOTION HEARING SCHEDULED AUGUST 13, 2025

NOW COMES the Third-Party Defendant/Fourth-Party Plaintiff, Exterior Holdings, LLC f/k/a Exterior Designs, Inc. (“EDI”) and the Fourth Party-Defendant/Fifth-Party Plaintiff, Harvey Industries, Inc. (“Harvey”), by and through their undersigned counsel, to move this Honorable Court to continue the motion hearing scheduled for August 13, 2025. In support of this Motion, Harvey states, its counsel is required to appear at a previously scheduled Final Pre-Trial Conference in the matter known as Jennefer McCarthy v. Lindsay Corporation, Inc., et al., Civil Action No. 2073CV00019C, before the Superior Court, Bristol County, Massachusetts, at the same time. Counsel for EDI and Harvey have conferred as to their respective availability, and state they have no conflict on the following dates:

August 28;
September 3 – 5;
September 9 – 12;
September 16;
September 18;
September 22 – 26; and
September 29 – October 3.

This continuance is not being sought for the purpose of delay, but solely due to conflicting court calendars. There is no harm or prejudice in granting this continuance as the only issue before the Court at the hearing on August 13, 2025, is EDI’s Rule 56(f) motion. No other party to this matter has filed or asked to present motion papers at the hearing. Accordingly, there is good cause to grant EDI and Harvey’s Motion to Continue Motion Hearing Scheduled August 13, 2025.

WHEREFORE, the Third-Party Defendant/Fourth-Party Plaintiff, Exterior Holdings, LLC f/k/a Exterior Designs, Inc., and the Fourth Party-Defendant/Fifth-Party Plaintiff, Harvey Industries, Inc., respectfully move this Honorable Court to continue to continue the August 13, 2025, motion hearing, and set EDI's Rule 56(f) motion and its opposition for hearing upon the dates provided above, or such a time thereafter as may be convenient for the Court.

Date: July 28, 2025

Respectfully submitted,

EDI Holdings LLC f/k/a
Exterior Designs, Inc.,

HARVEY INDUSTRIES, INC.,

By its Attorneys,

By its Attorneys,

/s/ Norman Brown

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CERTIFICATE OF SERVICE

I, the undersigned, counsel for Harvey Industries, Inc., hereby certify I served copies of the foregoing upon all parties of interest *via* electronic mail and/or mailing a copy of same, postage prepaid, to all counsel of record:

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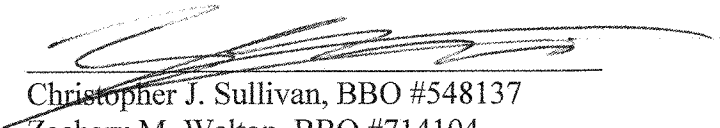
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Date: July 28, 2025



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