

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

Jul 20 2022

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas for the Ninth Judicial Circuit

SC Court of Appeals

The Honorable Bentley Price, Circuit Court Judge

Case Number: 2019-CP-10-00178
App. No. 2020-000925

J. DANIEL MAHONEY Plaintiff/Respondent,

v.

THE MUHLER COMPANY, INC. and HENRY M. HAY, III Defendants/Appellants.

CONSENT MOTION FOR EXTENSION

COME NOW Appellants The Muhler Company, Inc. and Henry M. Hay, III, (collectively, “Appellants”), and hereby request an extension of time to file Appellants’ Petition for Rehearing in the above-captioned appeal. The current deadline for filing Appellants’ Petition for Rehearing is Thursday, July 21, 2022. With the extension of time requested herein, Appellants’ Petition for Rehearing will be due on Monday, July 25, 2022.

As grounds for this Motion, Appellants state as follows:

1. Appellants filed a Consent Motion to substitute Ellis R. Lesemann, Esquire and Benjamin H. Joyce, Esquire as new counsel on Wednesday, July 20, 2022, and Appellants are seeking the requested extension in order to allow for the Consent Motion to Substitute Counsel to be acted upon prior to the filing of Appellants’ Petition for Rehearing.

2. Due to a planned family vacation and pending obligations relating to other matters,

w counsel for Appellants needs additional time to prepare and file Appellants' Petition for Rehearing.

3. The deadline for filing the Appellants' Petition for Rehearing has not been previously extended. Counsel for Respondent J. Daniel Mahoney has consented to the extension of the deadline for Appellants' Petition for Rehearing.

s/Jaan G. Rannik

Jaan G. Rannik

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EPTING & RANNIK

46A State Street

Charleston, SC 29401

Phone: (843) 377-1871

July 20, 2022

Charleston, South Carolina

Attorney for Defendants/Appellants

We so consent:

s/ Ellis R. Lesemann

Ellis R. Lesemann, Esquire

SC Bar No. 15315

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Benjamin H. Joyce, Esquire

SC Bar No. 100494

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418 King Street, Suite 301

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Attorneys for Defendants/Appellants

s/Clayton B. McCullough

Clayton B. McCullough, Esquire

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Attorneys for Plaintiff/Respondent

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APPEAL FROM Charleston COUNTY
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Case No.: 2019-CP-10-00178
App. No. 2020-000925

J. DANIEL MAHONEY.....Plaintiff / Respondent,

v.

THE MUHLER COMPANY, INC. and HENRY M. HAY, III, in his individual capacity,
Defendants/Appellants.....Defendants / Appellants.

PROOF OF SERVICE

I hereby certify that I have on today's date **e-mailed** a true and correct copy in PDF format of the **CONSENT MOTION FOR EXTENSION** to the following counsel of record at the primary e-mail address listed in the Attorney Information System (AIS) pursuant to Supreme Court of South Carolina Order No. 2022-05-06-04 Re: Service by E-mail in the Trial Courts: A copy of the e-mail is attached to this Proof of Service as Exhibit A.

Clayton B. McCullough, Esquire
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Attorneys for Plaintiff/Respondent

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(843) 724-5155

Attorneys for Defendants/Appellants

EPTING & RANNIK, LLC

By */s/ Angela Gross* _____

Angela Gross
Legal Assistant to
Jaan G. Rannik
46A State Street, Charleston, SC 29401
Phone: 843-377-1871; Fax: 843-377-1310

July 20, 2022

EXHIBIT A

Angela Gross

From: Angela Gross
Sent: Wednesday, July 20, 2022 3:40 PM
To: Clayton B. McCullough (CLAY@MKLAWSC.COM)
Cc: Ellis Lesemann; bhj@lalawsc.com; Andrew K. Epting; Jaan Rannik
Subject: Mahoney v. Muhler et al / Appeal No. 2020-000925
Attachments: 2022 07 20 - Ltr to Ct. App with fee for Motion for Extension (2020-000925).pdf; 2022 07 20 - Consent Motion for Extension of Time.pdf

Counsel,

Attached for service please find the Motion to Extension Counsel in the above referenced appeal.

A Proof of Service will follow under separate cover email.

With kindest regards,



Angela Gross
Legal Assistant to Andrew K. Epting, Jr., Esq.
Jaan G. Rannik, Esq.
Clinton T. Magill, Esq.
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EPTING & RANNIK

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Jul 20 2022

SC Court of Appeals

July 20, 2022

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

RE: *J. Daniel Mahoney v. The Muhler Company, Inc. and Henry M. Hay, III*
Case No.: 2019-CP-10-00178
App. No.: 2020-000925

Dear Ms. Kitchings:

Enclosed is our firm's check for \$50.00 as the fee associated with the Motion for Extension which was electronically filed today in the above-referenced appeal.

With kind regards,

EPTING & RANNIK, LLC



Angela Gross
Legal Assistant to Jaan G. Rannik

/agg

Enclosures – as stated

cc: Clay McCullough, Esquire
Ellis R. Lesemann, Esquire
Benjamin H. Joyce, Esquire