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Aug 26 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Case No. 2016-CP-07-2541
Appellate Case No. 2022-000231

Forum Benefits, LLC,

Appellant,

v.

Brian Bannon and Assured Partners, NL,

Respondents.

APPELLANT’S MOTION TO EXCEED PAGE LIMIT

Pursuant to Rule 208(b)(5), SCACR, Appellant Forum Benefits, LLC (“Forum Benefits”) requests leave to exceed the 50-page limit in their Amended Initial Brief in the above-captioned appeal.

Forum Benefits filed its Initial Brief with the Court on May 27, 2022. Forum Benefits’s Initial Brief, including the Cover Page, Table of Contents, Table of Authorities, Statement of Issues on Appeal; and Statement of the Case, Standard of Review, and Arguments totaled a combined fifty (50) pages. In the Initial Brief, Forum Benefits included placeholders for citation to the Record using “(R.____)”.

On July 15, 2022, Respondents filed a Motion for Extension of Time and requested an order from the Court that Forum Benefits be required to file an amended initial brief using

references to the page and line number of the transcript and references to the documents in the record (e.g. Answer p. 2).

On August 12, 2022, the Court issued an order granting Respondents' Motion for Extension and instructing Forum Benefits to file an amended initial brief.

Because this appeal arises from the trial court's grant of the Respondents' Motion for Directed Verdict, Forum Benefits's Initial Brief includes numerous citations to the trial transcript and exhibits. After amending the Appellant's Initial Brief to include the specific citations to the page and line numbers of the trial transcript, the total length of Forum Benefits' Amended Initial Brief is fifty-four (54) pages. The Amended Initial Brief comprises the following: (a) the Cover Page (1 page); (b) The Table of Contents (2 pages); (c) Table of Authorities (3 pages); (d) Statement of Issues on Appeal (1 page); (f) Statement of the Case (4 pages), (g) Standard of Review (2 pages) and (h) Arguments (41 pages).

After complying with Rule 211(b), to totality of Forum Benefits' Final Brief will be, upon information and belief, between 50 and 52 pages because of the shorter lengths of the numerous Record on Appeal citations as compared to the longer lengths their respective counterparts in Forum Benefits' Initial Brief. However, to avoid any additional delay in this appeal and out of an abundance of caution, Forum Benefits requests leave of the Court to file an Amended Initial Brief and, subsequently, a Final Brief exceeding the fifty (50) page limit to the extent either or both might be deemed to exceed fifty (50) pages.

Based on the foregoing, good cause exists for the Court to grant Forum Benefits's Motion to Exceed Page Limit. Accordingly, Forum Benefits requests leave to exceed the 50-page limitation.

s/Timothy D. St. Clair

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