

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

97731

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

RECEIVED

Bentley D. Price, Circuit Court Judge

DEC 09 2022

SC Court of Appeals

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 NOTICE OF NON-COMPLIANCE AND MOTION FOR EXTENSION
OF TIME TO FILE REPLY BRIEF**

Appellant, Forum Benefits, LLC ("Appellant"), submits this Notice of Non-Compliance with SCACR 208(b)(5) and, as a result, requests that the Court require Respondents, Brian Bannon and Assured Partners, NL ("Respondents"), to file an amended initial brief and provide Appellant with ten days from the date that Respondents file their amended initial brief for Appellant to file its initial reply brief.

Rule 208(b)(5) of the South Carolina Appellate Court Rules requires that "principal briefs shall not exceed fifty (50) pages."

Respondents' initial brief is fifty-six (56) pages in length.

Respondents should be held to the same standard as was Appellant. Appellant's initial brief was a total of fifty-four (54) pages and, excluding the cover page, table of contents, and table

of authorities, was a total of forty-eight (48) pages in length. The Court denied Appellant's motion to exceed the Rule 208(b)(5) page limits and required Appellant to reduce the total length of its brief to fifty (50) pages. *See* November 1, 2022 Order.

Respondents should be held to the same standard and should be required to reduce the total length of their brief to within the page count cap of Rule 208(b)(5).

Additionally, Appellant should be granted an extension to respond to Respondents' brief to enable Appellant to review and consider what Respondents argue in a fifty page brief instead of their current, expanded fifty-six page brief.

WHEREFORE, Appellant respectfully requests an Order requiring Respondents to file an initial brief that is compliant with SCACR 208(b)(5) and extending the deadline for Appellant to file its reply brief until ten (10) days after Respondents file an amended and compliant initial brief.

December 9, 2022

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PROOF OF SERVICE

The undersigned hereby certifies that on December 9, 2022, copies of Forum Benefits, LLC's **Appellant's Notice of Non-Compliance and Motion for Extension of Time to File Reply Brief** were served on all counsel of record via emails containing the above referenced document to counsels' individual AIS email addresses:

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