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Jan 04 2023

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.

**RESPONDENTS' MOTION TO ALLOW LATE FILING OF
RESPONDENTS' DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL**

Respondents, by and through their undersigned counsel, hereby move this Court to permit the late filing of Respondents' Designation of Matter to be Included in the Record on Appeal. In support of this Motion, Respondents state:

1. Respondents inadvertently did not file its designation of matter to be included in the Record on Appeal when it filed its Amended Initial Brief of Respondents on December 13, 2022.
2. Upon reviewing Appellant's Second Designations of Matter to Be Included in the Record on Appeal filed on January 3, 2023, Respondents realized its designations were not previously filed. Respondents filed this Motion and its designations, the next day.

3. Pursuant to Rule 210(a), SCACR, the Record on Appeal is not due to be served until February 2, 2023. Therefore, the late filing of Respondents' designations will not in any way prejudice Appellant. To the extent Appellant needs or requests additional time to prepare the Record on Appeal, Respondents will not oppose any reasonable extension request.

Therefore, Respondents move for the Court to accept the late filing of Respondents' Designation of Matter to be Included in the Record on Appeal.

Respectfully Submitted,

January 4, 2023

s/ Jeffrey A. Lehrer

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I, Jeffrey A. Lehrer, of FordHarrison, LLP, counsel for Brian Bannon and Assured Partners, NL, hereby certify that the foregoing **RESPONDENTS' MOTION TO ALLOW LATE FILING OF RESPONDENTS' DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** by Brian Bannon and Assured Partners, NL has been served upon opposing counsel, pursuant to the Supreme Court's Order 'Re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules,' (as amended May 6, 2022), by e-mailing a copy to counsel at their AIS e-mail address, as reflected below:

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Dated: January 4, 2023