

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

68732

Appeal from Dorchester County  
Court of Common Pleas

DeAndrea G. Benjamin, Circuit Court Judge

---

Case No. 2009-CP-18-0452

---

Rita M. Pugh,

Respondent,

v.

Bi-Lo, LLC,

Appellant.

---

APPELLANT'S MOTION  
FOR THIRD BRIEFING EXTENSION

---

YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Duke R. Highfield (SC Bar No. 64224)  
Brandt R. Horton (SC Bar No. 72572)  
Russell G. Hines (SC Bar No. 72100)  
P.O. Box 993  
Charleston, South Carolina 29402  
(843) 720-5488  
*Attorneys for the Appellant*

RECEIVED

JUN 13 2013

SC Court of Appeals

COMES NOW the Appellant, Bi-Lo, LLC, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves this Honorable Court as follows for an additional extension of seven (7) days' time to serve/file its initial appellant's brief and corresponding designation of matter to be included in the record on appeal.

Pursuant to Rule 208(a)(1), SCACR, the Appellant's initial brief was originally due in this matter on March 18, 2013 (based upon the Appellant's counsel's receipt of the transcripts needed in this matter on February 15, 2013.) On March 18, 2013, the Appellant's counsel served/filed an informal letter-request for a thirty-day briefing extension. In response to the Appellant's request for an extension, on March 20, 2013, the Respondent, Rita M. Pugh, moved to dismiss the Appellant's appeal, thereby automatically staying the time for perfecting the appeal pursuant to Rule 240(b), SCACR. By order filed on May 8, 2013, this Court denied the Respondent's motion to dismiss and granted the Appellant's requested extension, establishing a new briefing deadline for the Appellant of May 28, 2013.

On account of a particularly-demanding work schedule of late, other time commitments (including the recent birth of the undersigned's second child on March 25, 2013), the then-recent Memorial Day Holiday, and the

time needed to address the issues relevant to this appeal from a jury trial, by motion served/filed on May 28, 2013, the Appellant requested an extension of 15 days' additional time beyond May 28, 2013, i.e., through June 12, 2013, to serve/file its initial appellant's brief and corresponding designation of matter to be included in the record on appeal. The Court granted this request by Order filed June 3, 2013, extending the deadline through today, June 12, 2013.

In asking for an extension through June 12, 2013, the undersigned believed in good faith that the requested extension would provide sufficient time to complete the Appellant's initial brief, notwithstanding other time commitments. Candidly, while the undersigned has made substantial progress toward completion of the Appellant's initial brief, the undersigned remains in need of a modest additional extension of time. Therefore, again on account of a particularly-demanding work schedule of late (including assisting fellow practice group members that are involved in a multi-week trial that is presently in progress), and the time needed to address the issues relevant to this appeal from a jury trial, the undersigned requests an additional 7 days' time to serve/file the Appellant's initial brief and designation of matter to be included in the record on appeal. Most respectfully, the undersigned again submits that the Court's allowance of the

requested extension will be of considerable benefit to the Appellant's counsel in preparing the Appellant's initial brief/designation of matter, that the requested extension is founded upon good cause, and that it is in the interests of justice and will work no undue prejudice upon the Respondent. The undersigned does not anticipate the need to request any further extension.

WHEREFORE, the Appellant moves for an additional extension of time through June 19, 2013 to serve/file its initial appellant's brief and corresponding designation of matter to be included in the record on appeal. Further, the Appellant asks that its present briefing deadline be held in abeyance pending the Court's action on this motion.

**<SIGNED ON THE FOLLOWING PAGE>**

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)

Duke R. Highfield (SC Bar No. 64224)

Brandt R. Horton (SC Bar No. 72572)

Russell G. Hines (SC Bar No. 72100)

P.O. Box 993

Charleston, South Carolina 29402

(843) 720-5488

*Attorneys for the Appellant*

Charleston, South Carolina

Dated: 6/12/13

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

---

Appeal from Dorchester County  
Court of Common Pleas

DeAndrea G. Benjamin, Circuit Court Judge

---

Case No. 2009-CP-18-0452

---

Rita M. Pugh,

Respondent,

v.

Bi-Lo, LLC,

Appellant.

---

**PROOF OF SERVICE**

---

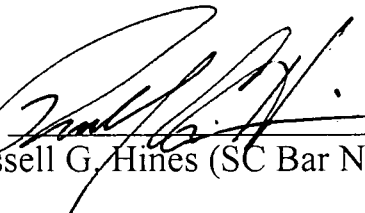
YOUNG CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Duke R. Highfield (SC Bar No. 64224)  
Brandt R. Horton (SC Bar No. 72572)  
Russell G. Hines (SC Bar No. 72100)  
P.O. Box 993  
Charleston, South Carolina 29402  
(843) 720-5488  
*Attorneys for the Appellant*

**RECEIVED**  
JUN 13 2013  
**SC Court of Appeals**

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for the Appellant above named, do hereby certify that I have served the **Appellant's Motion for Third Briefing Extension** on the above-named Respondent by depositing a copy of the same in the United States Mail, postage prepaid, on June 12, 2013, addressed as follows to the Respondent's counsel of record:

Julio A. Rossington, Esquire  
Rossington Law Offices, LLC  
1305-C N. Main Street, #140  
Summerville, SC 29483

YOUNG CLEMENT RIVERS, LLP

By:   
Russell G. Hines (SC Bar No. 72100)

Charleston, South Carolina

Dated: 6/12/13