

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM GREENVILLE COUNTY

D. Garrison Hill, Circuit Court Judge

Appellate Case No. 2013-000651

RECEIVED
JUN 28 2013

S.C. Supreme Court

David W. Keller.....Respondent,

v.

ING Financial Business Partners, Inc., William C.
Johnson, Diversified Business Concepts,
Inc., and Jackson National Life Insurance Company.....Defendants,

Of Whom ING Financial Partners, Inc.,
William C. Johnson, and Diversified Business Concepts, Inc., are.....Appellants.

**CONSENT MOTION FOR EXTENSION OF
TIME TO FILE A RETURN TO
PETITION FOR WRIT OF CERTIORARI**

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Attorneys for Respondent

**1. MOTION FOR EXTENSION OF TIME AND MEMORANDUM
IN SUPPORT THEREOF**

Respondent respectfully move pursuant to Rule 263(b), SCACR and with the consent of Appellants for a thirty (30) day extension of the deadline for filing their Return to Petition for Certiorari. In support of this Motion, Respondent would show the Court as follows:

1. This is an appeal from a trial court's denial of a motion to compel arbitration.
2. On January 9, 2013, the Court of Appeals affirmed the trial court's decision to deny Appellants' Motion to Compel Arbitration.
3. On January 24, 2013, Appellants filed a Petition for Rehearing.
4. On March 12, 2013, the Court of Appeals denied Appellants' Petition for Rehearing.
5. A sixty (60) day extension of the deadline to file a Petition for Certiorari was granted by the Court by Order dated March 29, 2013 on the representation of Appellants' counsel that the extra time was needed in order to permit the parties to attempt to settle the underlying dispute.
6. The Appellants filed their Petition for Certiorari on June 8, 2013 and Respondent's Return is currently due on July 8, 2013.
7. This is Respondents first request for an extension of time.
8. This Motion is being filed in good faith and not solely for the purpose of delay.
9. Because the current response time overlaps long-standing vacation time of counsel, the extra time requested by the motion for extension is necessary in order to give the Respondent adequate time to address the issues raised by the


Petition.

10. Pursuant to Rule 263(b), SCACR, the Court may extend any time limit imposed by the South Carolina Appellate Court Rules, including the deadline to file a Return to a Petition for Certiorari.
11. Counsel for Respondent has consulted with Counsel for Appellants who consent to the requested extension.

Therefore, for the reasons stated above, Respondent respectfully requests that the Court extend Respondent's deadline to file a Return to Appellants' Petition for Certiorari by thirty (30) days, up to and including August 8, 2013.

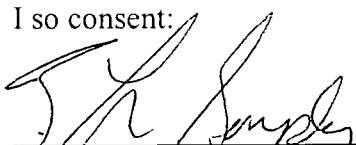
Respectfully submitted,

June 27, 2013



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I so consent:



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CERTIFICATE OF SERVICE

I certify that I have served the **Consent Motion for Extension of Time to File a Return to Petition for Writ of Certiorari** this 27th day of June, 2013, on counsel of record in the underlying action by depositing the same in the United States Mail, first class postage prepaid, as follows:

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