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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
William P. Keesley, Circuit Court Judge

Appellate Case No. 2023-000442
Case No. 2021-CP-02-02323

Mark Gregory Thompson and Jane Page Thompson, individually and
behalf of all those similarly situated, Appellants,

v.

Clay Killian, in his official capacity as Aiken County Administrator, Jason
Goings, in his official capacity as Treasurer of Aiken County, Aiken
County Council, Aiken County, City of Aiken, Aiken Council, and Stuart
Bedenbaugh, in his official capacity as City Manager of Aiken, Respondents.

**MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENTS**

The Respondents jointly move this Court for an additional 21-day extension of time until August 23, 2023, by which to file and serve their Initial Brief and Designation of Matter to be Included in the Record on Appeal.

The Respondents' motion is based on the following grounds:

1. The Initial Briefs of Respondents are currently due to be filed and served on August 2, 2023. The Respondents are currently planning to file a joint brief for all Respondents.

2. The undersigned counsel require additional time to complete the Initial Brief of Respondents in order to collaborate on a Joint Respondents' Brief. The additional time is also needed due to vacation plans by counsel for the Aiken County Respondents. Additionally, the undersigned counsel for the Respondent City of Aiken requires additional time due to two other appellate briefs due in the next week, including a brief due to the Fourth Circuit Court of Appeals on August 4, 2023. The undersigned counsel for the Respondent City of Aiken also has a date certain trial beginning August 14, 2023.

3. The undersigned counsel have consulted with counsel for the Appellants who has consented to the requested extension by email (copy attached).

WHEREFORE, the Respondents request that they be allowed until August 23, 2023, by which to file and serve their Initial Brief and Designation of Matter to be Included in the Record on Appeal.

LINDEMANN LAW FIRM, P.A.

BY: s/ Andrew F. Lindemann
ANDREW F. LINDEMANN #13030
5 Calendar Court, Suite 202
Post Office Box 6923
Columbia, South Carolina 29260
(803) 881-8920

Counsel for Respondents City of Aiken, Aiken City Council, and Stuart Bedenbaugh in his official capacity as City Manager of Aiken

and

BY: s/ Bradley T. Farrar
Bradley T. Farrar #66381
Aiken County Attorney
1930 University Parkway, Suite 3600
Aiken, South Carolina 29801
(803) 642-3628

*Counsel for Respondents Jason Goings, in his
official capacity as Treasurer of Aiken County,
Aiken County*

July 31, 2023

From: [Will Lewis](#)
To: [Andrew Lindemann](#)
Cc: [Bradley Farrar](#); [Grace Babcock](#)
Subject: Re: Thompson v. City of Aiken Appeal
Date: Sunday, July 30, 2023 7:27:11 PM

I consent. Hope you all are well.

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From: Andrew Lindemann <Andrew@ldlawsc.com>
Sent: Sunday, July 30, 2023 6:53:18 PM
To: Will Lewis <will@richardsonthomas.com>
Cc: Bradley Farrar <BFarrar@aikencountysc.gov>; Grace Babcock <grace@richardsonthomas.com>
Subject: Thompson v. City of Aiken Appeal

Will:

Brad and I have a favor to ask. We are trying to collaborate on one Joint Brief for the Respondents in this case. I figured you would appreciate not having multiple briefs to reply to and the Court would appreciate having one brief to read.

That is taking us some additional time. In addition, Brad is on vacation this week. Our Respondents' Brief is currently due on Wednesday. I would like to ask for 21 more days. That gets us beyond Brad's vacation and me beyond a date certain trial I have the week of August 14th. I also have another Fourth Circuit brief due later this week.

I would like to get a motion filed on Monday morning if possible. Would you consent to the additional 21 days? I would appreciate the courtesy.

Thanks.

Andrew

Andrew F. Lindemann
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APPEAL FROM AIKEN COUNTY
William P. Keesley, Circuit Court Judge

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Case No. 2021-CP-02-02323

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behalf of all those similarly situated, Appellants,

v.

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Goings, in his official capacity as Treasurer of Aiken County, Aiken
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Bedenbaugh, in his official capacity as City Manager of Aiken, Respondents.

CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court's Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022), the undersigned employee of Lindemann Law Firm, P.A., does hereby certify that service of the **Motion for Extension of Time to File Initial Brief of Respondents** in the above-captioned matter was made upon all counsel of record by email only this the 31st day of July 2023 as follows:

Terry E. Richardson, Jr., Esquire
William C. Lewis, Esquire
Brady R. Thomas, Esquire
Grace M. Babcock, Esquire
Richardson Thomas, LLC
Email: terry@richardsonthomas.com
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Bradley T. Farrar, Esquire
Aiken County Attorney
Email: bfarrar@aikencountysc.gov

s/ Andrew F. Lindemann



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July 31, 2023

ANDREW F. LINDEMANN*
Direct Dial: (803) 881-8921
Email: andrew@ldlawsc.com

*Also Admitted in North Carolina

RECEIVED
Jul 31 2023
SC Court of Appeals

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

RE: Mark Gregory Thompson and Jane Page Thompson, individually and on behalf of all those similarly situated v. Jason Goings, in his official capacity as Treasurer of Aiken County, Aiken County, City of Aiken, Aiken City Council, and Stuart Bedenbaugh in his official capacity as City Manager of Aiken
SCCA Appellate Case Number: 2023-000442
Civil Action Number: 2021-CP-02-2323
Claim Number: SF-21-1122-0001
Our File Number: 321.20529

Dear Ms. Kitchings:

Pursuant to Section (b)(2) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules, please find enclosed for filing the **Motion for Extension of Time to File Initial Brief of Respondents** in the above referenced matter. This motion is being filed on behalf of the Respondents City of Aiken, Aiken City Council, and Stuart Bedenbaugh in his official capacity as City Manager of Aiken, whom I represent, in addition to Respondents Jason Goings, in his official capacity as Treasurer of Aiken County, and Aiken County, who are represented by Brad Farrar.

In accordance with Section (d)(1) of this same Order, I am hereby serving copies on all counsel of record by email only. My firm's \$50.00 check for the filing fee will be placed in today's U.S. Mail.

If you have any questions, please advise.

Sincerely,

LINDEMANN LAW FIRM, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosures

The Honorable Jenny Abbott Kitchings
July 31, 2023
Page Two

cc: Terry E. Richardson, Jr., Esquire (*w/ Enclosure, Via Email Only*)
William C. Lewis, Esquire (*w/ Enclosure, Via Email Only*)
Brady R. Thomas, Esquire (*w/ Enclosure, Via Email Only*)
Grace M. Babcock, Esquire (*w/ Enclosure, Via Email Only*)
David R. Price, Jr., Esquire (*w/ Enclosure, Via Email Only*)
Samuel B. Tooker, Esquire (*w/ Enclosure, Via Email Only*)
Charles J. Hodge, Esquire (*w/ Enclosure, Via Email Only*)
T. Ryan Langley, Esquire (*w/ Enclosure, Via Email Only*)
Bradley T. Farrar, Esquire (*w/ Enclosure, Via Email Only*)