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Jul 18 2023

SC Court of Appeals

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

Appeal from York County
Court of Common Pleas

William A. McKinnon, Circuit Court Judge

Appellate Case No. 2022-000580
Circuit Court Case No. 2018-CP-46-03726

The Grapevine of Riverwalk, Inc.,

Respondent,

v.

Riverwalk River District Building 6, LLC, Mark S. Mather, GRH
Development Resources, LLC, The Greens of Rock Hill, LLC and
Assured Administration, LLC,

Appellants.

**THIRD MOTION FOR EXTENSION OF TIME TO
SERVE/FILE INITIAL BRIEF OF RESPONDENT**

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No.: 66468)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
(843) 720-5488
Attorneys for Respondent

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COMES NOW Respondent The Grapevine of Riverwalk, Inc., by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for a third extension of fourteen (14) days' additional time to file/serve its initial brief and corresponding designation of matter to be included in the record on appeal.

The Appellants served their initial brief on April 20, 2023; thereby, making the Respondent's initial briefing deadline May 22, 2023, according to Rule 208(a)(2), SCACR. Thereafter, the Respondent filed its first motion for extension of time, requesting extension of the deadline through June 21, 2023 and its second motion for extension of time, requesting extension of the deadline through July 21, 2023. Neither motion has been acted upon by the Court.

Due to medical issues, for which the undersigned has secured a doctor's note, the undersigned respectfully requests the Respondent's deadline for filing/serving its initial brief and corresponding designation of matter to be included in the record on appeal be extended by 14 days from (the previously-requested deadline of) July 21, 2023. Respectfully, Respondent believes this relief is consistent with the interests of justice and will not work any undue prejudice upon Appellants. Additionally, the undersigned has consulted with Ainsley F. Tillman, who has consented to this request.

WHEREFORE, Respondent moves this Honorable Court to grant it an extension of 14 days' time to file/serve its initial brief and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving its initial brief and designation of matter would be August 4, 2023, according to the undersigned's calculations. Further, Respondent respectfully requests the Court hold its present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion. This motion is based upon a medical matter for which counsel is seeking ongoing treatment (see attached doctor's instructions as Exhibit A). Opposing counsel consents to this request. Absent any compelling circumstances, no further requests shall be necessary.

[Signature page for Third Motion for Extension of Time to Serve/File Initial Brief of Respondent, Appellate Case No. 2022-000580]

Respectfully submitted,

CLEMENT RIVERS, LLP

By: s/Stephen L. Brown

Stephen L. Brown (SC Bar No.: 66468)

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Attorneys for Respondent

Charleston, South Carolina

July 18, 2023

July 11, 2023

Stephen Lynwood Brown

REDACTED

Date of Birth: REDACTED

Date of Visit: 7/11/2023

To Whom It May Concern:

It is my medical opinion that Stephen Brown is under my care for a severe spinal condition. By medical necessity, he is not able to sit or stand for prolonged periods of time and should avoid frequent transitioning from sitting/standing positions.

If you have any questions or concerns, please don't hesitate to call.

Sincerely,



John D Steichen, MD

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Appellants.

PROOF OF SERVICE

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Attorneys for Respondent

I, Stephen L. Brown, of Clement Rivers, LLP, attorneys for Respondent, hereby certify that the **THIRD MOTION FOR EXTENSION OF TIME TO SERVE/FILE INITIAL BRIEF OF RESPONDENT** was served on all other parties to this appeal on July 18, 2023, via email (see attached) to their following counsel of record:

Ian S. Ford, Esquire, ian.ford@fordwallace.com
Ainsley F. Tillman, Esquire, Ainsley.Tillman@FordWallace.com
Ford Wallace Thomson, LLC
715 King Street
Charleston, SC 29403
Attorneys for Appellants

CLEMENT RIVERS, LLP

By: *s/Stephen L. Brown*
Stephen L. Brown
Attorneys for Respondent

Charleston, South Carolina

July 18, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Tuesday, July 18, 2023 12:07 PM
To: 'Ainsley.Tillman@FordWallace.com'; 'ian.ford@fordwallace.com'
Cc: 'Stephen Brown (sbrown@ycrlaw.com)'; Hines, Russell; Justman, Aimee
Subject: The Grapevine of Riverwalk, Inc. v. Riverwalk River District Building 6, LLC // Appellate Case No. 2022-000580 (CR 220062)
Attachments: Motion for 3rd extension - initial brief.pdf; Ex. A.pdf

Enclosed please find Respondent's Third Motion for Extension of Time to Serve/File their Initial Brief which will be filed today in the above-referenced matter.

Thank you,

Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369



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FOR COUNSEL