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**Aug 21 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity and Special Circuit Court Judge for Beaufort County

Case No. 2022-CP-07-02454  
Appellate Case No. 2023-000411

Blue Bell Holdings, LLC..... Appellant

v.

Gary C. Johnson; Stephen D. Halpern; Holly A. Angel; Holly Ann LLC;  
Belmont Properties, LLC; Johnson Halpern Partnership; Shoreline Funding  
LLC and Orange Capital, LLC (Nevis)..... Respondents

**CONSENT MOTION FOR SECOND EXTENSION  
OF TIME TO FILE APPELLANT’S INITIAL BRIEF  
AND DESIGNATION OF MATTER**

Appellant Blue Bell Holdings, LLC, by and through its undersigned counsel and with the consent of Respondents Gary C. Johnson, Stephen D. Halpern, Holly A. Angel, Holly Ann LLC, Belmont Properties, LLC and Shoreline Funding, hereby requests a second extension of time of twenty-one (21) days to file its initial brief and designation of matter. Appellant seeks this twenty-one day extension because its counsel’s case is currently number 3 on the September 5, 2023 jury trial roster in Beaufort County, South Carolina. The trial is anticipated to last four to five days and will require substantial preparation. Additionally, Appellant’s counsel seeks this extension due to the trial’s impact on all other matters in her practice.

Currently, the deadline for Appellant's initial brief and designation of matter is Thursday, August 31, 2023. If this request is granted, Appellant's initial brief and designation of matter will be due on Thursday, September 21, 2023. Respondents' counsel have consented to this request as evidenced by **Exhibit A**.

**SOWELL & DuRANT, LLC**

s/Bess J. DuRant

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Bess J. DuRant (SC Bar No. 77920)  
1325 Park Street, Suite 100  
Columbia, South Carolina 29201  
803-722-1100  
bsowell@sowelldurant.com  
bdurant@sowelldurant.com

J. Ashley Twombly, (SC Bar No. 72916)  
TWENGE + TWOMBLY LAW FIRM  
311 Carteret Street  
Beaufort, SC 29902  
(843) 982-0100  
twombly@twlawfirm.com

August 21, 2023

*Attorneys for Appellant Blue Bell Holdings, LLC*

## Amy Kelly

---

**From:** Lee Anne Walters <leeanne@walterslawsc.com>  
**Sent:** Monday, August 21, 2023 2:00 PM  
**To:** Bess DuRant; Elizabeth J. Palmer  
**Cc:** Ashley Twombly (Work); Andrea Smith; Amy Kelly  
**Subject:** Re: BBH appellate brief extension



If Beth agrees, it is fine with me. Please do not send any more appellate filings to Mr. Halpern's home. I think he is still receiving filings from the Court of Appeals.

---

**From:** Bess DuRant <bdurant@sowelldurant.com>  
**Date:** Monday, August 21, 2023 at 1:04 PM  
**To:** Elizabeth J. Palmer <EP@saxtonstump.com>, Lee Anne Walters <leeanne@walterslawsc.com>  
**Cc:** Ashley Twombly (Work) <twombly@twlawfirm.com>, Andrea Smith <andrea@twlawfirm.com>, Amy Kelly <akelly@sowelldurant.com>  
**Subject:** RE: BBH appellate brief extension

Many thanks, Beth.

Bess J. DuRant  
Member, **SOWELL + DuRANT**

1325 Park Street, Suite 100  
Columbia, SC 29201

803.722.1100 | [sowelldurant.com](http://sowelldurant.com)

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**From:** Elizabeth J. Palmer <EP@saxtonstump.com>  
**Sent:** Monday, August 21, 2023 1:03 PM  
**To:** Bess DuRant <bdurant@sowelldurant.com>; Lee Anne Walters <leeanne@walterslawsc.com>  
**Cc:** Ashley Twombly (Work) <twombly@twlawfirm.com>; Andrea Smith <andrea@twlawfirm.com>; Amy Kelly <akelly@sowelldurant.com>  
**Subject:** Re: BBH appellate brief extension

Not a problem.  
Beth

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---

**From:** Bess DuRant <[bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com)>

**Sent:** Monday, August 21, 2023 1:01:16 PM

**To:** Lee Anne Walters <[leeanne@walterslawsc.com](mailto:leeanne@walterslawsc.com)>; Elizabeth J. Palmer <[EP@saxtonstump.com](mailto:EP@saxtonstump.com)>

**Cc:** Ashley Twombly (Work) <[twombly@twlawfirm.com](mailto:twombly@twlawfirm.com)>; Andrea Smith <[andrea@twlawfirm.com](mailto:andrea@twlawfirm.com)>; Amy Kelly <[akelly@sowelldurant.com](mailto:akelly@sowelldurant.com)>

**Subject:** RE: BBH appellate brief extension

Beth and Lee,

I'm reaching out to see if you will consent to another 21-day extension for the initial brief and designation of matter. Currently, we are #3 on the jury roster for Beaufort County the week of Labor Day. Attentions are having to be shifted.

Will you please let me know if you consent?

Many thanks-  
bjd

Bess J. DuRant  
Member, **SOWELL + DuRANT**

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Columbia, SC 29201

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**From:** Lee Anne Walters <[leeanne@walterslawsc.com](mailto:leeanne@walterslawsc.com)>

**Sent:** Wednesday, August 2, 2023 10:10 AM

**To:** Bess DuRant <[bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com)>; Elizabeth J. Palmer <[EP@saxtonstump.com](mailto:EP@saxtonstump.com)>

**Cc:** Ashley Twombly (Work) <[twombly@twlawfirm.com](mailto:twombly@twlawfirm.com)>; Andrea Smith <[andrea@twlawfirm.com](mailto:andrea@twlawfirm.com)>; Amy Kelly <[akelly@sowelldurant.com](mailto:akelly@sowelldurant.com)>

**Subject:** Re: BBH appellate brief extension

Yes, I consent.

Lee Anne Walters, Esq. | 843.379.0973 | [leeanne@walterslawsc.com](mailto:leeanne@walterslawsc.com)

---

**From:** Bess DuRant <[bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com)>

**Date:** Wednesday, August 2, 2023 at 9:42 AM

**To:** Elizabeth J. Palmer <[EP@saxtonstump.com](mailto:EP@saxtonstump.com)>, Lee Anne Walters <[leeanne@walterslawsc.com](mailto:leeanne@walterslawsc.com)>

**Cc:** Ashley Twombly (Work) <[twombly@twlawfirm.com](mailto:twombly@twlawfirm.com)>, Andrea Smith <[andrea@twlawfirm.com](mailto:andrea@twlawfirm.com)>, Amy

Kelly <[akelly@sowelldurant.com](mailto:akelly@sowelldurant.com)>

**Subject:** RE: BBH appellate brief extension

Lee, ok with you?

Bess J. DuRant  
Member, **SOWELL + DuRANT**

1325 Park Street, Suite 100  
Columbia, SC 29201

803.722.1100 | [sowelldurant.com](http://sowelldurant.com)

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---

**From:** Elizabeth J. Palmer <[EP@saxtonstump.com](mailto:EP@saxtonstump.com)>

**Sent:** Tuesday, August 1, 2023 11:58 AM

**To:** Bess DuRant <[bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com)>; Lee Anne Walters <[leeanne@walterslawsc.com](mailto:leeanne@walterslawsc.com)>

**Cc:** Ashley Twombly (Work) <[twombly@twlawfirm.com](mailto:twombly@twlawfirm.com)>; Andrea Smith <[andrea@twlawfirm.com](mailto:andrea@twlawfirm.com)>; Amy Kelly <[akelly@sowelldurant.com](mailto:akelly@sowelldurant.com)>

**Subject:** RE: BBH appellate brief extension

No problem!

Beth

**Elizabeth Palmer** | Shareholder

**SAXTON & STUMP**  
LAWYERS AND CONSULTANTS

151 Meeting Street, Suite 400

Charleston, SC 29401

Phone: 843.277.8034 | Internal: 1308

[ep@saxtonstump.com](mailto:ep@saxtonstump.com)

[https://link.edgepilot.com/s/1c91f9aa/Y\\_IB\\_z4XUEqMD69ITPA6qA?u=http://www.saxtonstump.com/](https://link.edgepilot.com/s/1c91f9aa/Y_IB_z4XUEqMD69ITPA6qA?u=http://www.saxtonstump.com/)



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**From:** Bess DuRant <[bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com)>

**Sent:** Tuesday, August 1, 2023 11:25 AM

**To:** Elizabeth J. Palmer <[EP@saxtonstump.com](mailto:EP@saxtonstump.com)>; Lee Anne Walters <[leeanne@walterslawsc.com](mailto:leeanne@walterslawsc.com)>

**Cc:** Ashley Twombly (Work) <[twombly@twlawfirm.com](mailto:twombly@twlawfirm.com)>; Andrea Smith <[andrea@twlawfirm.com](mailto:andrea@twlawfirm.com)>; Amy Kelly <[akelly@sowelldurant.com](mailto:akelly@sowelldurant.com)>

**Subject:** BBH appellate brief extension

Beth and Lee Ann,

I plan on asking the Court of Appeals for a 2 or 3 week extension to file our initial brief and designation of matter due to my work conflicts.

May I note your consent?

Hope y'all are having good summers.

Thanks-  
bjd

Bess J. DuRant  
Member, **SOWELL + DuRANT**

1325 Park Street, Suite 100  
Columbia, SC 29201

803.722.1100 | [sowelldurant.com](http://sowelldurant.com)

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**Aug 21 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity and Special Circuit Court Judge for Beaufort County

Case No. 2022-CP-07-02454  
Appellate Case No. 2023-000411

Blue Bell Holdings, LLC..... Appellant

v.

Gary C. Johnson; Stephen D. Halpern; Holly A. Angel; Holly Ann LLC;  
Belmont Properties, LLC; Johnson Halpern Partnership; Shoreline Funding  
LLC and Orange Capital, LLC (Nevis)..... Respondents

**PROOF OF SERVICE**

I certify that on August 21, 2023, I have caused the service of the Consent Motion for Second Extension of Time to File Appellant’s Initial Brief and Designation of Matter on Respondents Gary C. Johnson, Stephen D. Halpern, Holly A. Angel, Holly Ann LLC, Belmont Properties, LLC and Shoreline Funding via electronic mail using the email address listed in the Attorney Information System for their attorneys of record at the addresses listed below:

Elizabeth J. Palmer (S.C. Bar #73680)  
SAXTON & STUMP, LLC  
151 Meeting St., Ste. 350  
Charleston, SC 29402  
(843) 277-8034  
ep@saxtonstump.com  
**Respondent Gary C. Johnson and Shoreline Funding, LLC**

Lee Anne Walters (S.C. Bar No. 74984)  
WALTERS LAW  
Post Office Box 1214  
Beaufort, SC 29902  
(843) 379-0973  
leeanne@walterslawsc.com

***Attorney for Respondents Holly Angel, Holly Ann LLC, Stephen Halpern and Belmont Properties LLC***

I certify that on August 21, 2023, I have caused the service of the Consent Motion for Second Extension of Time to File Appellant's Initial Brief and Designation of Matter on Respondent Orange Capital, LLC (Nevis) by depositing a copy of the same in the United States Mail, postage prepaid to their addresses as listed below:

Gary C. Johnson  
Manager, Orange Capital, LLC  
17 Harbourside Lane 7118  
Hilton Head, SC 29928

SOWELL & DuRANT, LLC

s/Bess J. DuRant

BY: \_\_\_\_\_  
Thornwell F. Sowell, III (SC Bar No. 5197)  
Bess J. DuRant (SC Bar No. 77920)  
1325 Park Street, Suite 100  
Columbia, South Carolina 29201  
803-722-1100  
bsowell@sowelldurant.com  
bdurant@sowelldurant.com

J. Ashley Twombly, (SC Bar No. 72916)  
TWENGE + TWOMBLY LAW FIRM  
311 Carteret Street  
Beaufort, SC 29902  
(843) 982-0100  
twombly@twlawfirm.com

August 21, 2023

***Attorneys for Appellant Blue Bell Holdings, LLC***

## Amy Kelly

---

**From:** Amy Kelly  
**Sent:** Monday, August 21, 2023 2:19 PM  
**To:** leeanne@walterslawsc.com; assistant@walterslawsc.com; ep@saxtonstump.com; mhollar@saxtonstump.com  
**Cc:** Bess DuRant; Ashley Twombly; Andrea Smith  
**Subject:** Consent Motion for Second Extension of Time- Blue Bell v. Johnson et al- Appellate Case No. 2023-000411  
**Attachments:** BBH - Consent Motion for Second Extension to File Brief and DOM.pdf; Ex A- Consent.pdf; Proof of Service- Consent Motion for Second Extension of Time.pdf

Attached and served upon you is the Consent Motion for Second Extension of Time to file Appellant's Initial Brief and Designation of Matter, the Exhibit A and the Proof of Service. Service is made via email pursuant to the Supreme Court Order 2021-08-25-02 as amended May 6, 2022.

Thanks  
Amy

Amy A. Kelly  
*Director of Administration/Paralegal, SOWELL + DuRANT*

1325 Park Street, Suite 100  
Columbia, SC 29201

803.722.1100 | [sowelldurant.com](http://sowelldurant.com)

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