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**Sep 06 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Carmen Mullen, Circuit Court Judge

Appellate Case No. 2023-000924

Karon Mitchell, Kyle Mitchell, and  
Rabon & Rabon, Inc.,

Respondents,

v.

Jack Rabon, Nicole Rabon, Lane  
Jeffries, McNair Law Firm, P.A., Atid  
Properties, LLC, Daisy Ridge, LLC,  
Friends of LBS, LLC, Sarah Ginsburg,  
Jacob Biderman, Gabriel Yosef, and  
Michelle Cohen,

Defendants,

Of Whom:

Jack Rabon and Nicole Rabon,

Appellants,

and

Atid Properties, LLC and Jacob  
Biderman,

Cross-Claimants,

v.

Michelle Cohen,

Cross-Defendant.

**MOTION TO EXTEND TIME TO FILE AN INITIAL BRIEF  
AND DESIGNATION OF MATTER TO BE INCLUDED IN  
RECORD ON APPEAL**

Appellants Jack Rabon and Nicole Rabon move pursuant to Rule 240, SCACR for an order extending time for one month to file and serve the Initial Brief and Designation of

Matter to be Included in Record on Appeal. Appellants request this extension in order to provide counsel sufficient time to adequately research and prepare these pleadings.

On August 16, 2023, attorney Player sent correspondence to the parties with a proposed outline of a settlement. The undersigned requested the parties consent to an extension of time to provide the Initial Brief. Attorney Player consented but Attorney Martel did not respond. On September 5, 2023, Karen and Kyle Mitchell communicated with the undersigned and advise that they had retained separate counsel for this Appeal, but as of this date this counsel has not appeared in this case.

Additional time is needed in order to consider possible settlement of this matter to promote judicial economy. Appellants submit that this motion is not interposed for delay. Appellants also request that the Court of Appeals hold all time limits in abeyance pending its ruling on this motion.

Respectfully submitted,

September 6, 2023

s/ D. Alan Lazenby  
D. Alan Lazenby  
Lazenby Law Firm, LLC  
Post Office Box 6099  
Spartanburg, South Carolina 29304  
(864) 804-5050  
[alan@lazenbylawfirm.com](mailto:alan@lazenbylawfirm.com)  
SC Bar No. 13906

Attorney for Appellants

Other Counsel of Record:

Lauren L. Martel, Esq.  
Martel Law Office  
243 Club Gate Drive  
Bluffton, SC 29910  
Karon and Kyle Mitchell  
Beachbumb4@gmail.com

Tucker S. Player, Esq.  
Player Law Firm, LLC  
512 Village Church Drive  
Chapin, SC 29036





Alan Lazenby &lt;alan@lazenbylawfirm.com&gt;

**Re: Settlement discussion**

1 message

**Tucker Player** <tucker@playerlawfirm.com>

Thu, Aug 17, 2023 at 9:56 AM

To: Alan Lazenby &lt;alan@lazenbylawfirm.com&gt;

Cc: Lauren Martel &lt;martellawsc@gmail.com&gt;, Lauren Martel &lt;martellaw@hargray.com&gt;

I consent

Tucker S. Player  
Player Law Firm, LLC  
512 Village Church Drive  
Chapin, SC 29036  
ph: 803-315-6300  
fx: 803-772-8037  
email: [tucker@playerlawfirm.com](mailto:tucker@playerlawfirm.com)

***The secret of freedom lies in educating people, whereas the secret of tyranny is in keeping them ignorant.***

The information in this message is protected by the **Attorney Client Privilege and/or Attorney Work Product Doctrine** and is intended only for the use of the individual(s) named above. This message should not be forwarded without my permission. If this message is received in error or otherwise by someone other than the addressee, please contact me at the above number(s) and return the message or destroy it.

On Wed, Aug 16, 2023 at 7:33 PM Alan Lazenby &lt;alan@lazenbylawfirm.com&gt; wrote:

Tucker and Lauren,

First of all, thank you Tucker for pulling this together to get the settlement ball rolling.

I have begun to draft the Initial Brief and Designation of Matter for the appeal. This will not be an easy task. It will likely take \$15 to \$20,000 in fees to complete this. I have requested 2 extensions and the Court of Appeals indicates it will not consent absent extraordinary circumstances. Therefore, I request that both of you consent to a motion to extend my filing deadline by an additional 30 days. This will give us time to finalize settlement documents. Please let me know your position as soon as possible.

Alan  
D. Alan Lazenby  
Lazenby Law Firm, LLC  
P.O. Box 6099  
Spartanburg, SC 29304  
p(864) 804-5050

On Wed, Aug 16, 2023 at 1:59 PM Tucker Player &lt;tucker@playerlawfirm.com&gt; wrote:

Tucker S. Player  
Player Law Firm, LLC  
512 Village Church Drive  
Chapin, SC 29036  
ph: 803-315-6300  
fx: 803-772-8037  
email: [tucker@playerlawfirm.com](mailto:tucker@playerlawfirm.com)

***The secret of freedom lies in educating people, whereas the secret of tyranny is in keeping them ignorant.***



Alan Lazenby <alan@lazenbylawfirm.com>

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**Karon Mitchell - Ref: Appeal**

1 message

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**kyle mitchell** <beachbummb4@gmail.com>  
To: alan@lazenbylawfirm.com

Tue, Sep 5, 2023 at 11:14 AM

Al n,

Kyle and I have retained an Appellate Lawyer. Howard W. Anderson III will be representing us in The Court of Appeals.

Lauren is not representing us in the Appellate Court.

Respectfully,

Karon Mitchell

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In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
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Appellate Case No. 2023-000924

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v.

Jack Rabon, Nicole Rabon, Lane  
Jeffries, McNair Law Firm, P.A., Atid  
Properties, LLC, Daisy Ridge, LLC,  
Friends of LBS, LLC, Sarah Ginsburg,  
Jacob Biderman, Gabriel Yosef, and  
Michelle Cohen,

Defendants,

Of Whom:

Jack Rabon and Nicole Rabon,

Appellants,

and

Atid Properties, LLC and Jacob  
Biderman,

Cross-Claimants,

v.

Michelle Cohen,

Cross-Defendant.

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**PROOF OF SERVICE**

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I certify that I have served the Motion for Extension of Time on Respondents Karon Mitchell and Kyle Mitchell by electronic mail to their counsel of record, Lauren L. Martel, Esq., using her email address on file with the S.C. AIS, to wit: [martellawsc@gmail.com](mailto:martellawsc@gmail.com).

I certify that I have served the Motion for Extension of Time on Respondent Rabon & Rabon,

Inc. by electronic mail to Tucker S. Player, Esq., using his email address on file with the S.C. AIS, to wit: [tucker@playerlawfirm.com](mailto:tucker@playerlawfirm.com).

Respectfully submitted,

September 6, 2023

s/ D. Alan Lazenby  
D. Alan Lazenby  
Lazenby Law Firm, LLC  
Post Office Box 6099  
Spartanburg, South Carolina 29304  
(864) 804-5050  
[alan@lazenbylawfirm.com](mailto:alan@lazenbylawfirm.com)  
SC Bar No. 13906

Attorney for Appellants

Other Counsel of Record:

Lauren L. Martel, Esq.  
Martel Law Office  
243 Club Gate Drive  
Bluffton, SC 29910  
Karon and Kyle Mitchell  
[Beachbumm6@gmail.com](mailto:Beachbumm6@gmail.com)

Tucker S. Player, Esq.  
Player Law Firm, LLC  
512 Village Church Drive  
Chapin, SC 29036



**D. ALAN LAZENBY**  
ALSO LICENSED IN GA  
POST OFFICE BOX 6099 (29304)  
104 N. DANIEL MORGAN AVE, SUITE 103  
SPARTANBURG, SC 29306  
PHONE: 864-804-5050  
FAX: 864-751-4153

September 6, 2023

**VIA US MAIL**

Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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**SC Court of Appeals**

**Re: *Karon Mitchell v. Jack Rabon***  
***Appellate Case No. 2023-000924***

Dear Ms. Kitchings:

Enclosed please find our check in the amount of \$50 to cover the filing fee for the Motion to Extend Time in the above-captioned case for which was filed electronically on September 6, 2023.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'D. Alan Lazenby', is written over a light blue horizontal line.

D. Alan Lazenby  
[alan@lazenbylawfirm.com](mailto:alan@lazenbylawfirm.com)

DAL:  
Enclosure

cc: Lauren Martel, Esq. (via email only)  
Tucker Player, Esq. (via email only)  
Karon and Kyle Mitchell (via email only)