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SC Court of Appeals

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

Appeal from Pickens County
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Cases No. 2021-CP-39-01127 and -01128
Appellate Case No. 2023-000033

Deonda Weldon, Individually and as
Personal Representative of the Estate of Earline Cooley, Appellant,

v.

Dominion Clemson, LLC d/b/a Dominion Senior Living at
Patrick Square; Dominion Senior Living, LLC; Dominion
Clemson, II, LLC; Dominion Management Group, LLC; and
Dominion Group, LLC, Respondents.

**CONSENT MOTION FOR EXTENSION OF TIME TO SEPTEMBER 15,
2023, TO FILE/SERVE INITIAL BRIEF OF RESPONDENTS**

Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

-and-

Joshua T. Thompson (SC Bar No. 79137)
BOULIER THOMPSON & BARNES, LLC
101 W. St. John Street, Suite 300
Spartanburg, South Carolina 29306
P.O. Drawer 6470 (29304)
(864) 606-9610

Attorneys for Respondents

NOW COME Respondents, Dominion Clemson, LLC d/b/a Dominion Senior Living at Patrick Square; Dominion Senior Living, LLC; Dominion Clemson, II, LLC; Dominion Management Group, LLC; and Dominion Group, LLC, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, move—**with the consent of counsel for Appellant**—to extend the time for them to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal to September 15, 2023.

By order filed August 8, 2023, the Court extended the time for filing/serving Respondents' initial brief and designation of matter to September 1, 2023. And previously, by motion served/filed September 1, 2023, because of work-related and other time commitments, including an unexpected disruption to work caused by Hurricane Idalia, the undersigned respectfully requested—with the consent of counsel for Appellant—that Respondents' deadline to file/serve their initial brief and designation of matter be extended by one (1) week, i.e., from Friday, September 1, 2023, to Friday, September 8, 2023. To the undersigned's knowledge, as of the instant filing, the Court has not acted on the September 1st motion.

In previously moving for an extension of the deadline to September 8, 2023, the undersigned counsel for Respondents believed in good faith that the extension sought via the September 1st motion would allow him sufficient time to complete

the Initial Brief of Respondents and designation. But here again, because of work-related and other time commitments, including the consequences of the unexpected disruption to work caused by Hurricane Idalia and lost office time between the afternoon of Friday, September 1st through Monday, September 4th due to a long scheduled trip to see family out of state over Labor Day Weekend, the undersigned remains in need of a modest amount of additional time to complete the Initial Brief of Respondents and designation.

Having communicated with opposing counsel prior to making this motion and obtained their courteous consent to the relief requested herein, the undersigned respectfully asks the Court to consider the circumstances that occasion the instant motion sufficient to warrant such relief, which, it is submitted, is timely sought, reasonable in scope, consistent with the interests of justice, and not prejudicial to Appellant.

WHEREFORE, Respondents move this Honorable Court to extend the deadline for them to file/serve their initial brief and designation of matter to September 15, 2023. Further, Respondents respectfully request that the Court hold their present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,

By: s/Russell G. Hines

Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

-and-

Joshua T. Thompson (SC Bar No. 79137)
BOULIER THOMPSON & BARNES, LLC
101 W. St. John Street, Suite 300
Spartanburg, South Carolina 29306
P.O. Drawer 6470 (29304)
(864) 606-9610

Attorneys for Respondents

Charleston, South Carolina

September 8, 2023

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v.

Dominion Clemson, LLC d/b/a Dominion Senior Living at
Patrick Square; Dominion Senior Living, LLC; Dominion
Clemson, II, LLC; Dominion Management Group, LLC; and
Dominion Group, LLC, Respondents.

PROOF OF SERVICE

Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

-and-

Joshua T. Thompson (SC Bar No. 79137)
BOULIER THOMPSON & BARNES, LLC
101 W. St. John Street, Suite 300
Spartanburg, South Carolina 29306
P.O. Drawer 6470 (29304)
(864) 606-9610

Attorneys for Respondents

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondents, hereby certify that **CONSENT MOTION FOR EXTENSION OF TIME TO SEPTEMBER 15, 2023, TO FILE/SERVE INITIAL BRIEF OF RESPONDENTS** was served on all other parties to this matter on September 8, 2023, by emailing (see attached email) a copy of the same to their counsel of record:

Matthew W. Christian, Esquire
mchristian@cclawfirm.com
Christian & Christian, LLC

Joshua T. Thompson, Esquire
jthompson@btblawfirm.com
Boulier Thompson & Barnes, LLC

-and-

Additional Attorneys for Respondents

Jordan C. Calloway, Esquire
jcalloway@mcgowanhood.com
McGowan, Hood, Felder & Phillips, LLC

Attorneys for Appellants

Respectfully submitted,

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP

Attorneys for Respondents

Charleston, South Carolina

September 8, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Friday, September 8, 2023 4:38 PM
To: 'mchristian@cclawfirm.com'; 'jcalloway@mcgowanhood.com';
'jthompson@btblawfirm.com'; 'pboulier@btblawfirm.com'; 'aylaluers@gmail.com';
'jbynum@btblawfirm.com'; 'eboles@btblawfirm.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Weldon v. Dominion Clemson, LLC; 2023-000033 (CR 230229)
Attachments: Weldon v. Dominion Clemson (2023-000033) -- Motion for Ext to 9-15-23 re Initial Br. of Respondents.pdf

Enclosed please find Respondents' Consent Motion for Extension of Time to September 15, 2023, to File/Serve 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



CLEMMENT RIVERS, LLP
25 Calhoun Street • Suite 400 • Charleston, SC 29401
FOR OFFICE