

**RECEIVED**

**Nov 20 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Carmen Mullen, Circuit Court Judge

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Appellate Case No. 2023-000924

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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.

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**MOTION TO EXTEND TIME TO FILE RETURN TO  
MOTION TO DISMISS**

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Appellants Jack Rabon and Nicole Rabon move pursuant to Rule 240, SCACR for an order extending time to file and serve the Return to Respondents' Motion to Dismiss. The

Motion to Dismiss was served by email on October 17, 2023. Appellants request this extension in order to provide counsel sufficient time to adequately research and prepare these pleadings. 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. Opposing counsel consents to this request for a period of 7 days.

Respectfully submitted,

November 20, 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

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

Howard W. Anderson III  
Truluck Thomason LLC  
3 Boyce Avenue  
Greenville, SC 29601

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Defendants,

Of Whom:

Jack Rabon and Nicole Rabon,

Appellants,

and

Atid Properties, LLC and Jacob  
Biderman,

Cross-Claimants,

v.

Michelle Cohen,

Cross-Defendant.

**PROOF OF SERVICE**

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) and to Howard W. Anderson, III, Esq., using his email address on file with the S.C. AIS, to wit: [howard@truluckthomason.com](mailto:howard@truluckthomason.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,

November 20, 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

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

Howard W. Anderson III  
Truluck Thomason LLC  
3 Boyce Avenue  
Greenville, SC 29601



Alan Lazenby <alan@lazenbylawfirm.com>

## Appellate Case Number 2023-000924

1 message

Alan Lazenby <alan@lazenbylawfirm.com>

Mon, Nov 20, 2023 at 7:52 PM

To: Howard Anderson <howard@truluckthomason.com>, Tucker Player <tucker@playerlawfirm.com>, Lauren Martel <martellawsc@gmail.com>, "Rebekah S. Noell-Baba" <rebekah@lazenbylawfirm.com>

Tucker, Lauren, and Howard,

Attached and herewith served upon you in this matter is a Motion to Extend Time to File a Return to Motion and Proof of Service. The copy of the Proof of Service to the Court will contain a print out indicating this message was sent to you.

I also attach a copy of my emailed correspondence to the Clerk of the Court of Appeals.

Alan

**D. Alan Lazenby** Attorney at Law, Lazenby Law Firm, LLC



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Phone/Fax: 864-751-4153  
Mobile: 864-415-2753  
Email: alan@lazenbylawfirm.com  
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**LAZENBY**  
LAW FIRM LLC

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**REPRESENTING INDIVIDUALS AND SMALL BUSINESSES IN SOUTH CAROLINA**

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### 3 attachments

Clerk from DAL re filing fee 11.20.2023.pdf  
192K

Mot Ext Dis 11.20.2023.pdf  
76K

Proof of Service 11.20.2023.pdf  
19K



**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

November 20, 2023

**RECEIVED**

**Nov 20 2023**

**SC Court of Appeals**

**VIA US MAIL**

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

***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 November 20, 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)  
Howard W. Anderson, III, Esq. (via email only)