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Dec 13 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

The Honorable Robert W. Buffington, Special Referee

Appeal No. 2023-001638

Mae McGruder,..... Respondent,

v.

Dollar General Corporation,
d/b/a Dollar General Store #1677 and Janie Davis,.....Appellants.

**APPELLANTS’ RESPONSE TO
RESPONDENT’S’ MOTION FOR EXTENSION OF TIME**

Appellants Dollar General Corporation, d/b/a Dollar General Store #1677 and Janie Davis (“Appellants”) hereby respond to Respondent Mae McGruder’s Motion for Extension of Time in which to respond to Appellants’ Motion for Leave to File a Motion for Relief from Default Judgment Pursuant to Rule 60(b), SCRCF.

In Appellants’ Motion for Leave, they state that this matter was referred to Special Referee Robert W. Buffington, and attach that Order of Referral as Exhibit E. Appellants are not attempting to circumvent or “void” any order, including the Order of Referral. Indeed, they fully expect that Special Referee Buffington will hear their Rule 60(b) Motion once this Court grants leave to file that Motion. However, the Special Referee derives his authority to hear and

preside over this dispute by virtue of the Circuit Court. Hence, Appellants' Motion for Leave seeks leave to file their Rule 60(b) Motion with the Circuit Court. It is unclear where else such Motion would be filed.

Respondent concedes that she does not oppose Appellants' Motion for Leave in order to have the Special Referee hear the Rule 60(b) Motion. Respondent is attempting to create an issue where there is none.

CONCLUSION

For the reasons stated herein and in their Motion for Leave, this Court should grant Appellants' Motion for Leave to file a Motion for Relief from Judgment with the Circuit Court.

Respectfully submitted,

MCANGUS GOUDELOCK & COURIE, LLC

December 13, 2023

By: s/Helen F. Hiser
Helen F. Hiser, S.C. Bar No.: 76124
P.O. Box 650007
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(843) 576-2900
Attorneys for Appellants

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PROOF OF SERVICE

I certify that on the 13th day of December 2023, I served **Appellants' Response to Respondent's Motion for Extension of Time** on Mae McGruder by emailing a copy of it addressed to her attorney of record:

John D. Clark, Esquire
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22 East Liberty Street
Post Office Drawer 880
Sumter, South Carolina 29151-0880
Email: jclark@theclarklawfirm.com

s/Elizabeth Nettles
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*Attorneys for Appellants Dolgencorp, LLC
improperly identified as Dollar General
Corporation d/b/a Dollar General Store #16677
and Janie Davis*



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Reply To

HELEN F. HISER
Direct Dial: (843) 576-2930
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December 13, 2023

Via S.C. Courts E-filing

The Honorable Jenny Abbott Kitchings
Clerk of Court
1220 Senate Street
Columbia, South Carolina 29201

RE: Mae McGruder v. Dollar General Corporation d/b/a Dollar General Store
#16677 and Janie Davis
Civil Action No.: 2022-CP-43-00508 (Sumter)
Date of Incident: October 29, 2019
Carrier Claim No.: 201916549
MGC File No.: 20689.22022
Appeal No.: 2023-001638

Dear Ms. Kitchings:

Enclosed please find the original of Appellants' Response to Respondent's Motion for Extension of Time, and the Proof of Service in the above-referenced matter.

Please do not hesitate to contact the undersigned if the Court requires additional copies and/or if you have any questions.

Sincerely,
McAngus Goudelock & Courie, LLC

Helen F. Hiser

Enclosures

cc: John D. Clark, Esq.