

RECEIVED

Jan 12 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2023-001479

Case No. 2021-CP-02-00889

Julianne Foster, Respondent,

v.

Rhett Riviere, Katherine A. Thomas, Chase Enterprises,
LLC of South Carolina, and Airbnb, Inc., Defendants,

Of which Airbnb, Inc. is the Appellant,

And Rhett Riviere is a Respondent.

/s/ Deborah B. Barbier

Deborah B. Barbier, S.C. Bar No. 6920

DEBORAH B. BARBIER, LLC

1811 Pickens Street

Columbia, South Carolina 29201

Phone: (803) 445-1032

Email: dbb@deborahbarbier.com

Wesley D. Few, S.C. Bar. No. 15565

WESLEY D. FEW, LLC

Post Office Box 9398

Greenville, South Carolina 29605

Phone: (864) 527-5906

Email: wes@wesleyfew.com

Ryan L. Beasley, S.C. Bar No. 68307

RYAN L. BEASLEY, ATTORNEY AT LAW, P.A.

416 East North Street

Greenville, South Carolina 29601

Phone: (864) 679-7777

Email: rlb@ryanbeasleylaw.com

MOTION TO FILE OUT OF TIME

Respondent Julianne Foster (“Respondent” or “Foster” herein) respectfully submits this Motion to File out of Time pursuant to Rules 208, 209 and 240. Foster respectfully moves for leave to file her Respondents’ Initial Brief and Designation of Matter out of time. As good cause, Respondent would show:

1. Respondent’s Initial Brief and Designation of Matter was due on January 3, 2024.
2. Respondent’s counsel received a deficiency letter from the Court on January 12, 2024, making them aware that a docketing error had occurred.
3. This error in docketing was only realized when paralegal realized she docketed January 12, 2024, as the deadline instead of January 3, 2024.
4. No prejudice will occur from allowing the filing of this Initial brief and Designation of Matter out of time.

Respectfully submitted,

/s/ Deborah B. Barbier
Deborah B. Barbier, S.C. Bar No. 6920
DEBORAH B. BARBIER, LLC
1811 Pickens Street
Columbia, South Carolina 29201
Phone: (803) 445-1032
Email: dbb@deborahbarbier.com

Wesley D. Few, S.C. Bar. No. 15565
WESLEY D. FEW, LLC
Post Office Box 9398
Greenville, South Carolina 29605
Phone: (864) 527-5906
Email: wes@wesleyfew.com

Ryan L. Beasley, S.C. Bar No. 68307
RYAN L. BEASLEY, ATTORNEY AT LAW, P.A.
416 East North Street
Greenville, South Carolina 29601
Phone: (864) 679-7777
Email: rlb@ryanbeasleylaw.com

Attorneys for Respondent Julianne Foster

January 12, 2024
Columbia, South Carolina

RECEIVED

Jan 12 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2023-001479

Case No. 2021-CP-02-00889

Julianne Foster, Plaintiff,

v.

Rhett Riviere, Katherine A. Thomas, Chase Enterprises, LLC of
South Carolina, and Airbnb, Inc., Defendants,

Of which

Rhett Riviere, is the Appellant,

AND

Airbnb, Inc., Respondent,

v.

Rhett Riviere, Appellant.

Deborah B. Barbier, S.C. Bar No. 6920
DEBORAH B. BARBIER, LLC
1811 Pickens Street
Columbia, South Carolina 29201
Phone: (803) 445-1032
Email: dbb@deborahbarbier.com

Wesley D. Few, S.C. Bar. No. 15565
WESLEY D. FEW, LLC
Post Office Box 9398
Greenville, South Carolina 29605
Phone: (864) 527-5906
Email: wes@wesleyfew.com

Ryan L. Beasley, S.C. Bar No. 68307
RYAN L. BEASLEY, ATTORNEY AT LAW, P.A.
416 East North Street

Greenville, South Carolina 29601
Phone: (864) 679-7777
Email: rlb@ryanbeasleylaw.com
Attorneys for Plaintiff/Respondent Julianne Foster

PROOF OF SERVICE

The undersigned hereby certifies that on January 12, 2024, **Respondent Julianne Foster's Motion to File out of Time** was served on all counsel of record and the Court of Appeals Clerk of Court via Email as follows:

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals, Clerk of Court
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

-and-

Beattie Ashmore/ Stephanie Gray
Beattie B. Ashmore, P.A.
650 East Washington Street
Greenville, South Carolina 29601
beattie@beattieashmore.com

Damali Taylor
O'Melveny & Myers LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111
DTaylor@omm.com

Jim Griffin/ Joe McCulloch
GRIFFIN DAVIS
4408 Forest Drive
Columbia, SC 29206
JGriffin@griffindavislaw.com
joe@mccullochlaw.com

/s/Cassy Young
Cassy Young

January 12, 2024
Columbia, South Carolina

WESLEY D. FEW, LLC
Attorney at Law
P.O. Box 9398, Greenville, South Carolina 29604
www.wesleyfew.com | wes@wesleyfew.com
O: 864-527-5906 | M: 864-404-7792

RECEIVED
Jan 12 2024
SC Court of Appeals

January 12, 2024

Via Email-Filing:

The Hon. Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

RE: Airbnb Inc. v. Rhett Riviere
Appellate Case No.: 2023-001479
Case No. 2021-CP-02-00889
Our File No.: 00305-001

Dear Ms. Kitchings:

Enclosed for filing is Respondent Julianne Foster's Motion for Extension of Time to File their Initial Brief and Designation of Matter and proof of service for same.

Sincerely Yours,



Wesley D. Few

Enclosures

WDF/cgy

CC: All Counsel of Record (*Via Email*)
Client (*Via Email*)