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Jan 17 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
In the Court of Common Pleas for the Ninth Judicial Circuit

The Honorable Kristi F. Curtis, Circuit Court Judge

Appellate Case No. 2023-000952

Kelly Bingham and Kayla Bingham Appellants-Respondents,

v.

Medical University of South Carolina Respondent-Appellant.

**RESPONDENT-APPELLANT'S CONSENT MOTION FOR EXTENSION OF TIME TO
FILE AND SERVE ITS INITIAL RESPONDENT BRIEF AND DESIGNATION OF
MATTER FOR INCLUSION IN THE RECORD ON APPEAL**

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**RESPONDENT-APPELLANT'S CONSENT MOTION FOR EXTENSION OF TIME TO
FILE AND SERVE ITS INITIAL RESPONDENT BRIEF AND DESIGNATION OF
MATTER FOR INCLUSION IN THE RECORD ON APPEAL**

AND NOW COMES Respondent-Appellant Medical University of South Carolina (“MUSC”), by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of thirty (30) days additional time to file and serve its Initial Respondent Brief and Designation of Matter for Inclusion in the Record on Appeal.

1. Appellants-Respondents Kellie Bingham and Kayla Bingham served and filed their Initial Brief of Appellants on or about January 3, 2024.

2. Therefore, in accordance with Rule 208(a)(2), the deadline for Respondent-Appellant MUSC's Initial Respondent Brief and Designation of Matter for Inclusion in the Record on Appeal is currently Friday, February 2, 2024.

3. Due to the complexity and volume of issues in this appeal and the volume of the trial transcript, Respondent-Appellant MUSC's counsel requires an extension of time to file and serve its Initial Respondent Brief and Designation of Matter for Inclusion in the Record on Appeal.

4. Specifically, Appellant Meridian respectfully requests that the Court extend this deadline by 30 days, until Monday March 4, 2024 (the 30th day is Sunday March 3).

5. Respondent-Appellant MUSC believes that this relief is consistent with the interests of justice and will not work any undue prejudice upon any party.

6. This is Respondent-Appellant MUSC's first request for an extension to file its Initial Respondent Brief and Designation of Matter for Inclusion in the Record on Appeal.

7. Counsel for Appellants-Respondents Kellie Bingham and Kayla Bingham has graciously consented to the relief requested herein.

WHEREFORE, for all of the foregoing reasons, Respondent-Appellant Medical University of South Carolina moves this Honorable Court to grant it an extension of 30 days to file and serve its Initial Respondent Brief and Designation of Matter for Inclusion in the Record on Appeal. With the requested extension of time, the new deadline for filing and serving Respondent-Appellant's Initial Respondent Brief and Designation of Matter for Inclusion in the Record on Appeal will be

March 4, 2024. Additionally, Respondent-Appellant MUSC respectfully requests that the Court hold its present deadline for the service and filing of its Initial Respondent Brief and Designation of Matter for Inclusion in the Record on Appeal in abeyance until it acts upon this Motion.

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PROOF OF SERVICE

I certify that I have served the **RESPONDENT-APPELLANT'S CONSENT MOTION FOR EXTENSION OF TIME TO FILE AND SERVE ITS INITIAL RESPONDENT BRIEF AND DESIGNATION OF MATTER FOR INCLUSION IN THE RECORD ON APPEAL** on counsel for the above-referenced Appellants-Respondents by email in accordance with the South Carolina Supreme Court's Order re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended May 6, 2022) on January 17, 2024, addressed to her attorneys of record:

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