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JUN 07 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas
R. Kirk Griffin, Circuit Court Judge

Appellate Case No.: 2024-000742

Jerry Cozby

Plaintiff,

vs.

Kent Huntley Oliver, Thompson Construction Group, Inc., Curtis
Ouellette, and Quality Haulers, Inc.

Defendants,

of which,

Kent Huntly Oliver and Thompson Construction Group, Inc. are

Respondents,

AND

Dean Alan Arender and Tamala Arender,

Appellants,

vs

Kent Huntley Oliver, Thompson Construction Group, Inc. Curtis
Kent Ouellette, and DMX Transportation Services, Inc.

Defendants,

of which

Kent Huntley Oliver and Thompson Construction Group, Inc. are

Respondents,

AND

Kent Huntley Oliver,

Respondent,

vs.

Curtis Kent Ouellette, Quality Haulers, Inc., Dean Alan Arender,
US XPRESS Leasing, Inc., and US XPRESS, Inc., Defendants,

Defendants,

of which

Dean Alan Arender, US XPRESS Leasing, Inc., and US
XPRESS, Inc. are

Appellants,

Motion for Extension

Counsel for the Appellants Dean and Tamala Arender, in their capacities as Plaintiff/
Appellants in the action of Dean Alan Arender and Tamala Arender vs. Kent Huntley Oliver, Thompson

Construction Group, Inc., Curtis Kent Ouellette, and DMX Transportation Services, respectfully requests a seven (7) day extension to file their Return to the Motion to Dismiss filed by Respondents. If granted, the new deadline to file will be June 14, 2024. This request is based upon counsel's professional obligations arising from other matters. Counsel for the moving Respondents consents to this extension. For these reasons, counsel requests the motion be granted.

Respectfully Submitted

s/James D. George, Jr.

James D. George, Jr. (S.C. Bar No.: 103634)

Jacob D. Born (S.C. Bar No.: 100026)

2801 Devine Street, Suite 300

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Attorneys for Plaintiffs/ Appellants Dean

Alan Arender and Tamala Arender

June 7, 2024

THE STATE OF SOUTH CAROLINA
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APPEAL FROM SUMTER COUNTY JUN 07 2024
Court of Common Pleas
R. Kirk Griffin, Circuit Court Judge SC Court of Appeals

Appellate Case No.: 2024-000742

Jerry Cozby Plaintiff,

vs.

Kent Huntley Oliver, Thompson Construction Group, Inc., Curtis Ouellette, and Quality Haulers, Inc. Defendants,
of which, Respondents,
Kent Huntley Oliver and Thompson Construction Group, Inc. are AND

Dean Alan Arender and Tamala Arender, Appellants,

vs

Kent Huntley Oliver, Thompson Construction Group, Inc. Curtis Ouellette, and DMX Transportation Services, Inc. Defendants,
of which, Respondents,
Kent Huntley Oliver and Thompson Construction Group, Inc. are AND

Kent Huntley Oliver, Respondent,

vs.

Curtis Kent Ouellette, Quality Haulers, Inc., Dean Alan Arender, US XPRESS Leasing, Inc., and US XPRESS, Inc., Defendants,
of which, Appellants,
Dean Alan Arender, US XPRESS Leasing, Inc., and US XPRESS, Inc. are

Certificate of Service

The undersigned hereby certifies that on June 7, 2024, he served all counsel of record the Appellants, Dean and Tamala Arender's, Motion for Extension of time to file a Return by emailing counsel a copy of the same to the below email addresses as maintained in the attorney information system:

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mcc@swblaw.com
mkk@swblaw.com

Enclosed with this Certificate of Service is a copy of the transmittal email to counsel.

Respectfully Submitted,

s/ James D. George, Jr.
James D. George, Jr.
Smith, Born, Leventis, Taylor & Vega, LLC
2801 Devine Street, Suite 300
Columbia, SC 29205
PH: (803) 509-5837

June 7, 2024

From: James D. George Jr. JGeorge@sbltv.law 
Subject: Arender et. al. v. Oliver and Thompson Construction et. al. Appellate Case No. 2024-000742
Date: June 7, 2024 at 12:04 PM



To: Andrew.evans@hawklaw.com, lveyFranklin@thejeffcoatfirm.com, justin.arenas@derricklawfirm.com, Joe Camerlengo jvc@truckcrashlaw.com, JLL@truckcrashlaw.com, fred.hanna@smithrobinsonlaw.com, Murrell Smith murrell@smithrobinsonlaw.com, cott@gwblawfirm.com, Hood Dawson hdawson@gwblawfirm.com, Mark S. Barrow msb@swblaw.com, Marshall C. Crane MCC@swblaw.com, Madison K. Kea MKK@swblaw.com
Cc: Jacob Born JBorn@sbltv.law, Virginia Kendall vkendall@sbltv.law, Jim Sproat jsproat@sbltv.law, Erica Ricano ERicano@sbltv.law, Latonya M. Smalls lsmalls@sbltv.law, ebehymmer@gwblawfirm.com, Jennifer Lisandrelli jennifer.lisandrelli@smithrobinsonlaw.com

Good afternoon:

Attached please find a copy of the appellants' motion for extension to file their Return and associated cover letter and certificate of service. The attached motion will be hand delivered to the court of appeals momentarily.

Best,

JDG

Jamie George
Attorney
Smith, Born, Leventis, Taylor & Vega
(803) 509-5837
jgeorge@sbltv.law

**Return Extension cover letter
motion cos for service 6.7.24.pdf**
780 KB



William L. Smith, II
C. Daniel Vega
Jacob D. Born
Peter P. Leventis, IV
George A. Taylor
James C. Sproat
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June 7, 2024

RECEIVED

JUN 07 2024

SC Court of Appeals

Via Hand Delivery

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

RE: Jerry Cozby, Plaintiff vs. Kent Huntley Oliver, Thompson Construction Group, Inc., Curtis Ouellette, and Quality Haulers, Inc., Defendants, of which Kent Huntley Oliver and Thompson Construction Group, Inc., are Respondents. AND Dean Alan Arender and Tamala Arender, Appellants vs. Kent Huntley Oliver, Thompson Construction Group, Inc., Curtis Kent Ouellette, and DMX Transportation Services, Inc., Defendants, of which Kent Huntley Oliver and Thompson Construction Group, Inc. are Respondents. AND Kent Huntley Oliver, Respondent vs. Curtis Kent Ouellette, Quality Haulers, Inc. Dean Alan Arender, US XPRESS Leasing, Inc., and US EXPRESS, Inc., Defendants, of which Dean Alan Arender, US XPRESS Leasing, Inc., and US XPRESS, Inc., are Appellants.

Appellate Case No.: 2024-000742

Motion for an Extension of Time for Filing Initial Brief

Dear Ms. Kitchings:

Enclosed please find the following for filing in the above referenced matter:

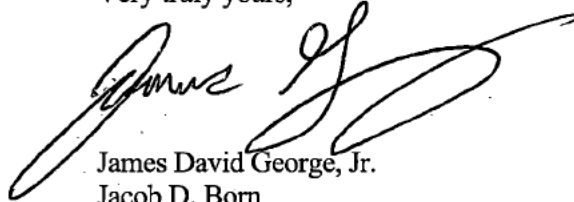
1. Motion for Extension of Time for Filing Appellants Dean and Tamala Arender's—in their capacities as Plaintiff/ Appellants in the action of Dean Alan Arender and Tamala Arender vs. Kent Huntley Oliver, Thompson Construction Group, Inc., Curtis Kent Ouellette, and DMX Transportation Services, Inc.—Return to the Motion to Dismiss filed by Thompson Construction Group, Inc. and Kent Huntley Oliver;
2. Certificate of Service; and,
3. Filing Fee of \$50.00.

Appellants Dean Alan Arender and Tamala Arender respectfully move for an extension of time for filing their Return to the Motion to dismiss filed by Respondents Thompson Construction Group, Inc. and Kent Huntley Oliver. Respondents filed their motion to dismiss on May 28, 2024. Therefore, by my calculations the

Appellant's Return is June 7, 2024. If Appellants' Motion for a seven (7) day extension is granted, Appellants' Return will be due June 14, 2024.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "James D. George, Jr.", written in a cursive style.

James David George, Jr.
Jacob D. Born
Attorneys for the Appellants

cc: Andrew Clifton Evans
Ivey Blair Franklin
Raia J. Hirsch
Frederick Newman Hanna, Jr.
G. Murrell Smith, Jr.
Justin Joaquin Arena
Joseph V. Camerlengo
Jessica L. Lanifero
Edward Hood Dawson, III
Curtis Lyman Ott
Mark Steven Barrow
Marshall Collin Crane
Madison Claire Killen