

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

APPELLATE CASE NO. 2013-001017
(SCWCC NO. 1107981)

69526

DANIEL HARRIS, EMPLOYEE, CLAIMANT,Appellant,

v.

OSI INDUSTRIES, LLC, EMPLOYER, AND LIBERTY INSURANCE CORPORATION,
CARRIER,Respondent

3rd
8/23

PETITIONER'S NOTICE OF MOTION AND MOTION TO ENLARGE TIME TO FILE
INITIAL BRIEF/DESIGNATION OF MATTER

TO: CLERK, SC COURT OF APPEALS; KRISTIAN CROSS, ESQ., ATTORNEY FOR
THE RESPONDENTS.

YOU WILL PLEASE TAKE NOTICE that the Petitioner, by and through his undersigned counsel, moves the Court of Appeals, pursuant to Rules 240 and 263(b), SCACR, and requests that the Court of Appeals enter its order extending the time for the Petitioner to file and serve his initial brief and designation of matter for an additional thirty (30) days until September 23, 2013 (as computed by counsel per the Court's rule). The grounds for this motion are that per the prior order of the Court these documents are currently due from the Petitioner on August 23, 2013, but:

RECEIVED

AUG 23 2013

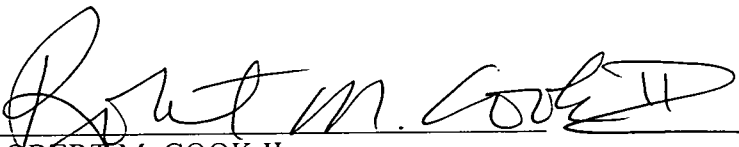
SC Court of Appeals

Rm [Signature]

1. The Petitioner's teenage son (Robert "Trey" M. Cook III) died on June 18th and personal and family commitments arising from his death have prevented Petitioner's counsel from devoting his full time and attention to his legal practice.
2. The Petitioner's counsel and counsel for the Respondents are now engaged in settlement negotiations that, if successful, would render the within appeal moot.
3. There have been three different changes in Respondents' counsel since the filing of this appeal which, in combination with No. 1 above, have likely retarded attempts to successfully resolve this matter prior to this time.
4. As shown by the attached email from Kristian Cross, Esquire, the attorney for the Respondents has no objection to this motion for additional time.

Accordingly, the Petitioner requests that the Court of Appeals grant the requested extension.

August 22, 2013


ROBERT M. COOK II
The Robert Cook Law Firm, LLC
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robcook1965@yahoo.com
ATTORNEY FOR THE APPELLANT

Kristian Cross
Collins & Lacy, PC
P.O. Box 12487
Columbia, SC 29211
ATTORNEY FOR THE RESPONDENTS

From: Kristian Cross <kcross@collinsandlacy.com>
To: 'Robert Cook' <robcook1965@yahoo.com>
Sent: Monday, August 19, 2013 3:24 PM
Subject: RE: Daniel Harris

No objection.

From: Robert Cook [mailto:robcook1965@yahoo.com]
Sent: Monday, August 19, 2013 3:24 PM
To: Kristian Cross
Subject: Re: Daniel Harris

Thanks and no problem. My initial brief/designation of matter is due 8/23, but I'll probably file a motion for another 30 days extension. Let me know if you have any objection to that.

ROBERT M. COOK II

ATTORNEY AT LAW

The Robert Cook Law Firm, LLC

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"Never, never, never give up." Winston Churchill

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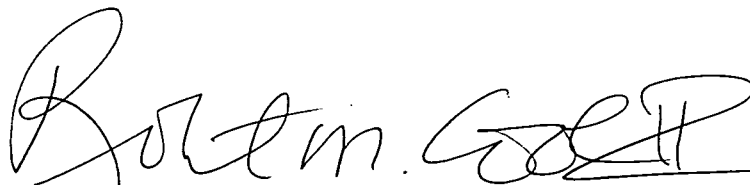
v.

OSI INDUSTRIES, LLC, EMPLOYER, AND LIBERTY INSURANCE CORPORATION,
CARRIER,Respondent

PROOF OF SERVICE

I certify that I have served the Petitioner's Notice of Motion and Motion to Enlarge Time To File Initial Brief/Designation of Matter on the attorney for the Defendants by depositing a copy of it in the United States Mail, postage prepaid, on August 22, 2013, addressed to Kristian Cross, Esquire, Collins & Lacy, PC, P.O. Box 12487, Columbia, SC 29211.

August 22, 2013



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