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Jun 21 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
In The Circuit Court

The Honorable Daniel D. Hall, Circuit Judge

Appellate Case No. 2024-0002719

STEPHANIE KOZAK,
(Personal Representative of the Estate of John Witkowski)

Appellant,

vs.

CHRIS CUTWAY,

Respondent.

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Appellant, by her counsel herein, moves this Court for an order granting her an extension of time in which to file her Initial Brief and Designation of Matter to be included in the Record on Appeal, on the grounds stated below:

1. By an extension granted by the Court, and by reason of counsel for Appellant's diagnosis of Covid, the Appellants' Initial Brief and Designation of Matter to be included in the Record is set as due as of June 21st, 2024.
2. Due to the press of business, counsel's past illness, and the need to prepare a sizable submission to the insurance carrier for previous counsel, counsel for Appellant has been unable to complete the Initial Brief and Designation of Matter to be included in the Record on Appeal within the time allowed.
3. It is the belief of Appellant that her dealings with the referenced insurance carrier may result in settlement.
4. Counsel for Movant acknowledges this as the third extension request; he pleads his former illness and the need to pursue the insurance carrier.

5. Counsel believes the same can be filed, without further delay, within thirty (30) days, that is: on or before Friday, July 22nd, 2024.

The basis of this Motion is the within-cited Rule, the records of this appeal, and any attached affidavit or stipulation of the undersigned, which items are hereby incorporated in this Motion.

WHEREFORE, the Appellant herein moves this Court to allow an extension of time in which to file her Initial Brief and Designation of Matter to be included in the Record on Appeal, as set out above, pursuant to Rule 240 and 263(b), S.C.A.C.R.

June 21, 2024

/s/ John Martin Foster
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PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time dated June 21, 2024, on the following counsel or persons of record:

Chan M. Ahn
Attorney for Respondent
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by service to the opposing lawyer's primary e-mail address listed in the Attorney Information System (AIS), as authorized by Section d(1) of the Order of the Supreme Court dealing with Electronic Filing and Service amended May 6, 2022.

June 21, 2024

/s/ John Martin Foster
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