

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED
AUG 28 2013
SC COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable R. Knox McMahon, Circuit Court Judge

69590

Case No. 2012-CP-32-3496

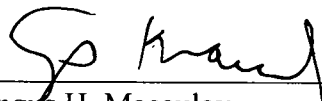
Palmetto Gems & Gemological Services, Inc. & Thomas ShofnerAppellants,
v.
Roger R. RiemannRespondent.

MOTION TO ORDER TRANSCRIPT OUT OF TIME

Defendants/Appellants Palmetto Gems & Gemological Services, Inc. & Thomas Shofner hereby move the Court for an Order granting it leave to order the lower court transcript from the court reporter out of time. The grounds for this Motion are that Appellants did not order the lower court transcript within the time period set forth in Rule 207(a)(1) and have determined, after conferring with opposing counsel, that a complete transcript should be included in the Record on Appeal.

The undersigned counsel for Appellants certifies that he conferred with counsel for the Respondent regarding the contents of this Motion, and Respondent consents to the same.

August 28, 2013



Angus H. Macaulay S.C. Bar #15044
James A. Byars S.C. Bar #79055
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Attorneys for Defendants/Appellants
Palmetto Gems & Gemological Services, Inc. &
Thomas Shofner

Other Counsel of Record:

Eugene H. Matthews
Richardson Plowden & Robinson, P.A.
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Attorney for Plaintiff/Respondent

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v.
Roger R. RiemannRespondent.

PROOF OF SERVICE

I hereby certify that I have served the foregoing Motion to Order Transcript Out of Time on the Respondent by depositing a copy of the same in the United States Mail, postage prepaid, on August 28, 2013, addressed to Respondent's Counsel of Record, Eugene H. Matthews, Esq., PO Drawer 7788, Columbia, South Carolina 29202.

August 28, 2013



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Attorneys for Defendants/Appellants
Palmetto Gems & Gemological Services, Inc. &
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SC Court of Appeals

Angus H. Macaulay
Member
Certified Specialist in
Employment and Labor Law
Certified South Carolina Mediator
Admitted in SC

August 28, 2013

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

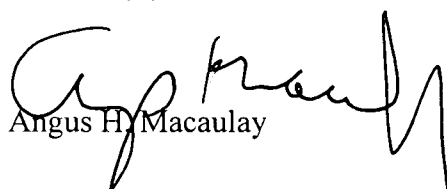
Re: *Roger R. Reimann v. Palmetto Gems & Gemological Services, Inc.
and Thomas Shofner, in his individual capacity*
Case No. 2012-CP-32-03496

Dear Ms. Kitchings:

On behalf of Defendants/Appellants Palmetto Gems & Gemological Services, Inc. & Thomas Shofner, please find enclosed: an original and six copies of a Motion to Order Transcript Out of Time and a filing fee check for \$25.00.

Please return a clocked-in copy of the Motion to our courier. Thank you.

Very truly yours,


Angus H. Macaulay

AHM/jab
Enclosures

cc: Eugene H. Matthews, Esquire (w/encls.)
Mr. Thomas Shofner (w/encls.)

2013-001745

AS