

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

69564

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Appellate No. 2013-001538

**RECEIVED**

AUG 26 2013

Petroleum & Franchise Funding, LLC.....Respondent,  
**SC Court of Appeals**

v.

Papa Oil, LLC; Bhavana Amin; Shanti Pathak; Dass, Inc.; Anjay R. Patel;  
Devang Amin; Gupteshwar Pathak.....Defendants,

Of Whom Shanti Pathak and Gupteshwar Pathak.....Appellants.

**MOTION FOR EXTENSION OF TIME**

Come now Appellants, by and through their undersigned counsel of record, and move this Honorable Court through Rule 263(b), SCACR, and with consent of the Respondent, for a thirty (30) day extension of time in which to file Appellants' Initial Brief. Appellants' Initial Brief is due on September 13, 2013. The parties in this matter are in settlement negotiations and the undersigned counsel for Appellants has a motion for summary judgment deadline in a substantial federal case on that same day. With the thirty (30) day extension, Appellant's brief would now be due on October 14, 2013.

In support of this Motion, Appellants would respectfully show the following:

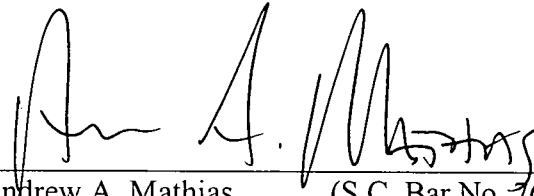
1. Pursuant to Rule 208(a)(1), SCACR, Appellants' Initial Brief is due on September 13, 2013.

2. Appellant respectfully requests an additional thirty (30) day extension to file their initial brief, which will make the initial brief due on October 14, 2013; and

3. Respondent's counsel has consented to this thirty (30) day extension of time requested.

For the reasons set forth above, Appellants respectfully request that this Court grant the requested thirty (30) day extension of time to file Appellants' Initial Brief.

I SO MOVE:



Andrew A. Mathias (S.C. Bar No. 76220)

NEXSEN PRUET, LLC

55 E. Camperdown Way, Suite 400 (29601)

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Telephone: 864.282.1195

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Attorneys for Appellants

Greenville, South Carolina  
August 22, 2013

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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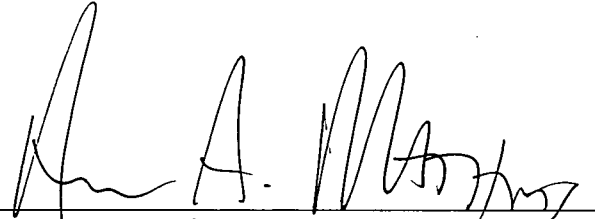
Of Whom Shanti Pathak and Gupteshwar Pathak.....Appellants.

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**CERTIFICATE OF COMPLIANCE**

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The undersigned hereby certifies that this Motion to for Extension of Time  
complies with Rule 240, SCACR.



Andrew A. Mathias (S.C. Bar No. 76220)  
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Attorneys for Appellants

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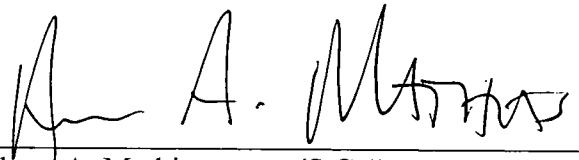
Papa Oil, LLC; Bhavana Amin; Shanti Pathak; Dass, Inc.; Anjay R. Patel;  
Devang Amin; Gupteshwar Pathak.....Defendants,

Of Whom Shanti Pathak and Gupteshwar Pathak.....Appellants.

**PROOF OF SERVICE**

I, Andrew A. Mathias, hereby certify that I served the Motion for Extension of Time by depositing a copy of it in the United States mail, first-class postage prepaid, on August 22, 2013, addressed to Respondent's attorneys of record, as follows:

Dowse "Brad" Rustin, IV, Esquire  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
P.O. Box 10084  
Greenville, South Carolina 29603-0084



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Andrew A. Mathias (S.C. Bar No. 76220)

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Attorneys for Appellants

Andrew A. Mathias  
Associate

August 22, 2013

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

**Re: *Petroleum & Franchise Funding, LLC, Respondent v. Papa Oil, LLC; Bhavana Amin; Shanti Pathak; Dass, Inc.; Anjay R. Patel; Devang Amin; Gupteshwar Pathak, Defendants***  
***Of Whom Shanti Pathak and Gupteshwar Pathak are Appellants***  
**Appellate Case No. 2013-001538**

Dear Ms. Kitchings:

Charleston

Charlotte

Columbia

Greensboro

**Greenville**

Hilton Head

Myrtle Beach

Raleigh

Enclosed for filing please find the original and seven (7) copies of a Motion for Extension of Time to File Appellants' Initial Brief, Certificate of Compliance, and Proof of Service. Also enclosed is our firm's check in the amount of \$25.00 to cover the filing fee. Please return a clocked-in copy to me via the enclosed self-addressed, stamped envelope.

By way of copy, I am serving counsel of record with the same. Thank you for your assistance.

Very truly yours,

  
Andrew A. Mathias

AAM:gb  
Enclosures

cc: (w/enclosures)  
Brad Rustin, IV, Esquire  
Scott F. Talley, Esquire

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