

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM BEAUFORT COUNTY
COURT OF COMMON PLEAS

69587

Carmen Mullen
Circuit Court Judge
Case No. 2010-CP-07-05944

Appellate Case No. 2013-001529

Richard K. Davenport and Mary E. Davenport,..... Appellants,

v.

Dataw Island Owners' Association, Inc., nominal Defendant;
Dataw Island Club, Inc.; Bruce "Skip" Adams; George Beck;
Victor Brinkman; Colin Collins; Earl Dietz; Merwin "Mer"
Grayson; Dan Hopkins; Herb Jarvis; John Mahoney; Colin
McArthur; Peter Payne; John Payne; Bob Sanderson; Lee
Scher; Gerald Smith, in his capacity as successor and Trustee of
Deirdre Smith's Estate; Bob Spengler; Phil Sutphin; Ray Hoge;
Pam Weigand; Jim Smithson; Peter Post; Roger Rittinger;
Gabriel Nagy; Bob Albon; Larry Bernard; Harriette Buchanan;
Gary Davis; Keith Dixon; Dan Frakes; Jack Hamilton; Jerry
Hubbard; Gwen Jordan; Larry Lance; Terry Lurtz; Jim Marks;
Jim McCormock; Bob Pogachnick; Bob Tisch; Tom Fischer;
Rick Manzari; Susan Beekman; Timothy McGrath; Joe Foutch;
Thomas White; Herman Schmit; D. Pierre Cameron, Jr.; and
William Bush,

RECEIVED
AUG 28 2013
SC Court of Appeals

Respondents.

CONSENT MOTION FOR EXTENSION OF TIME

Appellants, with the consent of Respondents, request a 30 day extension of the time for filing their initial brief and designations for the record on appeal. The parties would benefit from an additional thirty days to continue their attempts to resolve this dispute. This is Appellants' second request for an extension. The initial brief and designations are currently due September 3, 2013. With the extension, the initial brief and designations would be due Thursday, October 3, 2013.

2nd
9-3-13
10-3-13

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: Robert Brunson ^(Rw)

Robert H. Brunson
S.C. Bar No. 11987
E-Mail: robert.brunson@nelsonmullins.com
151 Meeting Street / Sixth Floor
Post Office Box 1806 (29402-1806)
Charleston, SC 29401-2239
(843) 853-5200

Stephen G. Morrison
SC Bar No. 004103
E-Mail: steve.morrison@nelsonmullins.com
Meridian, 17th Floor
1320 Main Street
Post Office Box 11070 (29211)
Columbia, SC 29201
(803) 799-2000

Attorneys for Appellants

August 28, 2013

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM BEAUFORT COUNTY
COURT OF COMMON PLEAS

Carmen Mullen
Circuit Court Judge
Case No. 2010-CP-07-05944

Appellate Case No. 2013-001529

Richard K. Davenport and Mary E. Davenport,..... Appellants,

v.

Dataw Island Owners' Association, Inc., nominal Defendant;
Dataw Island Club, Inc.; Bruce "Skip" Adams; George Beck;
Victor Brinkman; Colin Collins; Earl Dietz; Merwin "Mer"
Grayson; Dan Hopkins; Herb Jarvis; John Mahoney; Colin
McArthur; Peter Payne; John Payne; Bob Sanderson; Lee
Scher; Gerald Smith, in his capacity as successor and Trustee of
Deirdre Smith's Estate; Bob Spengler; Phil Sutphin; Ray Hoge;
Pam Weigand; Jim Smithson; Peter Post; Roger Rittinger;
Gabriel Nagy; Bob Albon; Larry Bernard; Harriette Buchanan;
Gary Davis; Keith Dixon; Dan Frakes; Jack Hamilton; Jerry
Hubbard; Gwen Jordan; Larry Lance; Terry Lurtz; Jim Marks;
Jim McCormock; Bob Pogachnick; Bob Tisch; Tom Fischer;
Rick Manzari; Susan Beekman; Timothy McGrath; Joe Foutch;
Thomas White; Herman Schmit; D. Pierre Cameron, Jr.; and
William Bush,

Respondents.

RECEIVED

AUG 23 2013

SC Court of Appeals

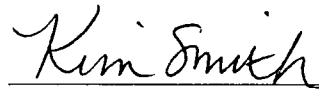
CERTIFICATE OF SERVICE

I, the undersigned, of the law offices of Nelson Mullins Riley & Scarborough, LLP, attorneys for Appellants, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: Appellants' Consent Motion for an Extension of Time

Counsel Served: M. Dawes Cooke, Jr., Esq.
Todd M. Musheff, Esq.
John W. Fletcher, Esq.
Barnwell Whaley
PO Drawer H
Charleston, SC 29402

James H. Elliott, Jr.
Richardson Plowden
40 Calhoun Street, Suite 220
Charleston, SC 29401



Kim Smith

August 28, 2013
Columbia, South Carolina

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
151 Meeting Street / Sixth Floor / Charleston, SC 29401-2239
Tel: 843.853.5200 Fax: 843.722.8700
www.nelsonmullins.com

Robert H. Brunson
(Admitted in SC & GA)
Tel: 843.534.4226
robert.brunson@nelsonmullins.com

August 28, 2013

Via Hand Delivery

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
P.O. Box 11629
Columbia, SC 29211

RECEIVED
AUG 28 2013
SC Court of Appeals

RE: Richard K. Davenport, et al. v. Dataw Island Club, Inc., et al.
Appellate Case No.: 2013-001529
Our File No. 30046/01500

Dear Ms. Kitchings:

Please find enclosed an original and six (6) copies of Appellants' Consent Motion for an Extension of Time in the above-referenced matter, along with a certificate of service relating to the same. We have also enclosed a check in the amount of \$25.00 for the filing fee. If there are any questions, please do not hesitate to contact our office.

Very truly yours,

Robert Brunson ^(Pen)

Robert H. Brunson

cc: James H. Elliott, Jr., Esquire
Todd M. Musheff, Esquire
M. Dawes Cooke, Jr., Esquire
John W. Fletcher, Esquire (all via regular mail)