

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Circuit Court Judge

Case No. 2012-CP-40-7331

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SEP 19 2013
SC Court of Appeals

Phillip Morgan, Individually and on behalf of all similarly situated
Plaintiffs,

Appellant,

v.

Nimrata "Nikki" Haley, Governor of South Carolina; James F. Etter,
Director of the South Carolina Department of Revenue; the South
Carolina Department of Revenue; South Carolina Division of State
Information Technology; Trustwave Corporation and Trustwave
Holdings, Inc.,

Of whom

Office of the Governor; South Carolina Department of Revenue;
South Carolina Division of State Information Technology; and
Trustwave Holdings, Inc. are

Respondents.

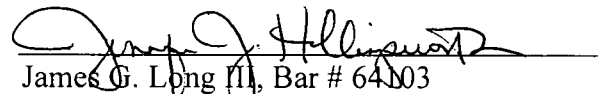
JOINT MOTION FOR AN EXTENSION TO FILE
INITIAL BRIEFS OF RESPONDENTS AND DESIGNATIONS OF MATTER

Respondents, Office of the Governor; South Carolina Department of Revenue;
South Carolina Division of State Information Technology; and Trustwave Holdings, Inc.,
jointly seek a two-week extension to file their Initial Respondents' Briefs and
Designations of Matter. This is the parties' second extension request, and it is needed

based on the work schedules of counsel. Counsel for Trustwave are currently in a nearly two-week trial that commenced on September 12, 2013, and may not conclude until September 24, 2013, one day before the current deadline. All counsel believe efficiency and judicial economy dictate that all Respondents briefs should be filed on the same day. As a result, counsel for all Respondents request the extension. If granted, the new due date for the Initial Respondents' Briefs and Designations of Matter for all Respondents would be October 9, 2013.

Counsel for Appellant has been consulted and consents to this extension request.

Respectfully submitted,



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September 19, 2013
Columbia, South Carolina

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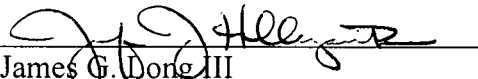
Office of the Governor; South Carolina Department of Revenue;
South Carolina Division of State Information Technology; and
Trustwave Holdings, Inc. are

Respondents.

PROOF OF SERVICE

I, Jennifer J. Hollingsworth, hereby certify that I have served the Joint Motion for an Extension to File Initial Briefs of Respondents and Designations of Matter in the above-referenced matter upon Appellant via electronic mail addressed as follows:

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Columbia, South Carolina

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SC Court of Appeals

James G. Long III
Member
Admitted in SC

September 19, 2013

VIA HAND DELIVERY

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

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**Re: Philip D. Morgan v. S. C. Dept. of Revenue, et al.
Appellate Case No. 2013-001096**

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced case please find an original and seven copies of a Joint Motion for an Extension to File Initial Briefs of Respondents and Designations of Matter. This is Respondents' second request and the Appellant has consented to the extension. I have enclosed a Proof of Service reflecting that counsel of record has been served with copies of the same and a \$25 filing fee. Please return one clocked copy of the documents to me via our courier.

Very truly yours,


James G. Long III

JGL/saw
Enclosures

cc: John D. Hawkins
C. Logan Rollins, II
Robert E. Tyson, Jr.
Robert E. Stepp
M. Todd Carroll
Theodore F. Claypoole
Karl S. Bowers

- Charleston
- Charlotte
- Columbia**
- Greensboro
- Greenville
- Hilton Head
- Myrtle Beach
- Raleigh