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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

RECEIVED

The Honorable Ellis B. Drew, Jr., Master-in-Equity MAR 15 2013

SC COURT OF APPEALS

Case No.: 2007-CP-04-2784

Craft Construction Company, Inc. of Starr Respondent,

v.

Pendleton Station, LLC, Enterprise Bank of South Carolina,
and Angelo Penza Defendants,

Of whom Enterprise Bank of South Carolina is the Appellant.

APPELLANT'S MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF and DESIGNATION OF MATTER

Pursuant to Rule 240, SCACR, Appellant, Enterprise Bank of South Carolina, hereby requests that the Court grant Appellant a thirty (30) day extension in which to file its Initial Brief and Designation of Matter in the above captioned matter. Currently, Appellant's Initial Brief is due on or before March 11, 2013. Counsel for Appellant believes that the requested extension will neither prejudice the parties nor unduly delay this appeal. Counsel for Appellant is making this request because the computer servers in the office of Appellant's counsel suffered a catastrophic loss of data on December 14, 2012. The servers are now in the possession of a second forensic computer analyst in New Jersey who is in the process of recovering the lost data

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and the file archival system. The data that was lost includes the research and work product of Appellant's counsel pertaining to this matter (including, notably, its own draft Initial Brief).

It is further requested that all time be held in abeyance during the pendency of this motion.

No memorandum in support of this motion is being filed as it is counsel's belief that such memorandum would not aid the Court in ruling on the motion.

Respectfully submitted,



Thomas E. Dudley, III (SC Bar # 66154)

M. Stokely Holder (SC Bar # 73892)

Kenison, Dudley & Crawford, LLC

704 East McBee Avenue

Greenville, SC 29601

(864) 242-4988

Attorneys for Appellant

March 11, 2013
Greenville, SC

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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MAR 13 2013

SC Court of Appeals

Craft Construction Company, Inc. of Starr Respondent,

v.

Pendleton Station, LLC, Enterprise Bank of South Carolina,
and Angelo Penza Defendants,

Of whom Enterprise Bank of South Carolina is the Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that a true copy of the Appellant's Motion for Extension of Time to File its Initial Brief and Designation of Matter in the above-referenced case has been served on all parties of record by mailing a copy of same in the United States mail, postage prepaid this 11 day of March, 2013, addressed as follows:

David J. Brousseau
McIntosh, Sherard, Sullivan & Brousseau
P.O. Box 197
Anderson, SC 296522
Attorney for Moorhead Construction, Inc.

James W. Logan, Jr.
Logan, Jolly & Smith
P.O. Box 259
Anderson, SC 29622
Attorney for Pendleton Station, LLC

C. Nicholas Lavery
Smith, Jordan, Lavery and Lee, P.A.
P.O. box 1633
Clemson, SC 29633
Attorney for Angelo Penza



Thomas E. Dudley, III (SC Bar # 66154)
M. Stokely Holder (SC Bar # 73892)
Kenison, Dudley & Crawford, LLC
704 East McBee Avenue
Greenville, SC 29601
PH: (864) 242-4988
FAX: (864) 242-4844
Attorneys for Enterprise Bank of South Carolina

KEVEN K. KENISON
Practicing Attorney in South Carolina and Georgia
THOMAS E. DUDLEY, III
Practicing Attorney in South Carolina and North Carolina
JOHN T. CRAWFORD, JR.
Practicing Attorney in South Carolina
M. STOKELY HOLDER
Practicing Attorney in South Carolina
TOWNES B. JOHNSON, III
Practicing Attorney in South Carolina
F. LEE PRICKETT, III
Practicing Attorney in South Carolina

March 11, 2013

Hon. Jenny Abbott Kitchings
Clerk of Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Craft Construction Company, Inc. of Starr v. Pendleton Station, LLC, et al.
Of Whom Enterprise Bank of South Carolina is the Appellant
Appeal from Anderson County
Case No.: 2007-CP-04-2784
Appellate Case No.: 2012-213227

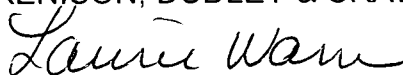
To Whom It May Concern:

Please find enclosed an original and six (6) copies of Appellant's Motion to Extend the Time to File its Initial Brief and Designation of Matter with Certificate of Service in the above referenced matter, as well as our check in the sum of \$25.00 as and for the filing fee.

Thank you for your assistance in this matter and please do not hesitate to contact our office if you have any questions.

Very truly yours,

KENISON, DUDLEY & CRAWFORD, LLC



Laurie Warren
Legal Assistant

Enclosures

cc: David J. Brousseau
James W. Logan, Jr.
C. Nicholas Lavery
David Johns

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MAR 13 2013

SC Court of Appeals

GREENVILLE
704 East McBee Avenue ▪ Greenville, South Carolina 29601
Phone 864.242.4899 ▪ Fax 864.242.4844

COLUMBIA
1201 Main Street ▪ Suite 1980 ▪ Columbia, South Carolina 29201
Phone 803.748.1329 ▪ Fax 803.748.1248

CHARLESTON
534 B Oristo Ridge ▪ Edisto Beach, South Carolina 29438
Phone 843.869.1000

ATLANTA
1130 Hurricane Shoals Road ▪ Suite 600 ▪ Lawrenceville, Georgia 30043
Phone 770.513.6400 ▪ Fax 770.518.6577