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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
In the Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

Case No. 2017-CP-42-00740

Appellate Case No. 2020-001642

Gibbs International, Inc., Respondent,

v.

Sarmad Harake, Eurosa, Inc., and Katherine Harake, Defendants, of whom Sarmad Harake and Eurosa Inc. are the Appellants.

**MOTION FOR EXTENTION OF TIME TO FILE APPELLANTS' RETURN TO THE
PETITION FOR REHEARING AND REQUEST FOR HEARING EN BANC**

Sarmad Harake and Eurosa, Inc. hereby move for an extension of time of ten (10) days to file Appellants' Return to the Petition for Rehearing and Request for Hearing En Banc. Respondent consents to this motion. Pursuant to Rule 240 of the South Carolina Appellate Court Rules and the correspondence received from the Court of Appeals requesting a return on January 2, 2025, Appellants' Return to the Petition for Rehearing and Request for Hearing En Banc was originally due on January 12, 2025. An Order granting a ten-day extension will make Appellants' Return to the Petition for Rehearing and Request for Hearing En Banc due on or before January

22, 2025.

Given the holidays and coinciding briefing deadlines in other matters, Appellants' respectfully contend that good cause exists for this short extension of time to file the Return. This is Appellants' first request for an extension of time to file the Return to the Petition for Rehearing and Request for Hearing En Banc.

WHEREFORE, Appellants respectfully request the Court issue an Order granting their request for an extension of ten (10) days to file the requested Return, up to and including Wednesday, January 22, 2025.

Respectfully Submitted,

GALLIVAN, WHITE & BOYD, P.A.

/s Lindsay A. Joyner

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*Attorneys for Appellants Sarmad Harake
and Eurosa, Inc.*

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Gibbs International, Inc.,..... Respondent,

v.

Sarmad Harake, Eurosa, Inc., and Katherine Harake,Defendants

Of whom Sarmad Harake and Eurosa, Inc. are the.....Appellants.

PROOF OF SERVICE

The undersigned hereby certifies that on January 6, 2025, she has caused to be served **Appellants' First Motion for Extension of Time to File Return to the Petition for Rehearing and Request for Hearing En Banc** upon all parties of record via e-mail. A copy of the email serving all parties of record is attached hereto.

evin A. Dunlap (S.C. Bar No. 13081)

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**ATTORNEYS FOR KEVIN A. DUNLAP AND
PARKER POE ADAMS & BERNSTEIN, LLP**

Respectfully submitted,

/s/ Lindsay A. Joyner

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ATTORNEYS FOR APPELLANTS

From: [Lindsay Joyner](#)
To: [Dunlap, Kevin A.](#); [John T. Lay](#); [Curtis Ott](#); [Bobby Stepp](#); [Benjamin Gooding \(bgooding@robinsongray.com\)](#)
Cc: [Nowend, Melanie P.](#); [Victoria Buckley](#)
Bcc: [9567_1 Gibbs International, Inc. Individually and on behalf of IOTive, Inc. v. Sarmad Harake, Eurosa, Inc., Katherine Harake, IOTive, Inc., Gocial Morris, Pavel Polukhin, and Shai Hemli C. A. Number 2017 CP 42 00740 Client No. N A Date of Email 9567_1](#)
Subject: RE: Gibbs International, Inc. v. Sarmad Harake and Eurosa, Inc. 2020-001642 [IMAN-IMANMAIN.FID542496]
Date: Monday, January 6, 2025 4:17:53 PM
Attachments: [01.06.25 Motion for Extension to File Return.pdf](#)

Good afternoon, all,

I hope this email finds your 2025 off to a good start. Attached is a motion for extension to file the Return to the Petition for Rehearing. Kevin and I discussed this at the end of last week. If you have any questions or concerns, please let me know. Momentarily, I will attach this email to the POS and file electronically with the Court of Appeals as permitted by Rule 262, SCACR. The filing fee will be sent separately via US Mail.

Thanks,
Lindsay



Lindsay Anne Joyner
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From: Dunlap, Kevin A. <kevindunlap@parkerpoe.com>
Sent: Monday, November 25, 2024 2:31 PM
To: Lindsay Joyner <ljoyner@gwblawfirm.com>; John T. Lay <jlay@gwblawfirm.com>; Curtis Ott <cott@gwblawfirm.com>; Bobby Stepp <rstepp@robinsongray.com>; Benjamin Gooding <bgooding@robinsongray.com> <bgooding@robinsongray.com>
Cc: Nowend, Melanie P. <melanienowend@parkerpoe.com>
Subject: Gibbs International, Inc. v. Sarmad Harake and Eurosa, Inc. 2020-001642

CAUTION: EXTERNAL EMAIL ORIGINATING OUTSIDE OF GWB'S EMAIL SYSTEM

Good afternoon,

Please find attached for service Respondent's First Motion for Extension to File Petition for Rehearing in the above-referenced matter.

Thank you.

Kevin Dunlap

Partner



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