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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
Kirsti F. Curtis, Circuit Court Judge

Appellate Case No. 2023-000569

Meswaet Abel, as Personal Representative of the Estate  
of Zerihun Wolde and as Natural Parent and Legal  
Guardian of Adam Wolde and Wubit Wolde ..... Respondent,

v.

Lack’s Beach Service, Inc., City of Myrtle Beach, and  
John Doe Lifeguard, Defendants,

Of which Lack’s Beach Service is the ..... Appellant,

**CONSENT MOTION TO RESCHEDULE ORAL ARGUMENT TIME SLOT ON  
FEBRUARY 12**

The undersigned counsel for Appellant Lack’s Beach Service hereby moves the Court to re-schedule the oral argument in this matter, currently set for February 12, 2025, at 11:20 a.m., to same day -- February 12, 2025, but at 10:00 a.m. Counsel for Respondent consents to this motion. Counsel for both Appellant and Respondent in *James Freshley v. Conbraco Industries*, Appellate Case number 2023-000185, currently scheduled for oral argument on February 12, 2025, at 10:00 a.m., both consent to this request as well. Correspondence demonstrating consent is attached to this Motion. The reason for this request is the undersigned’s need to travel out of state to a meeting for which he has already paid and needs to attend. He can arrive at the destination (Montana) if the oral argument begins at 10:00. The Court’s consideration of this request is very much appreciated.

Respectfully submitted,

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*Attorneys for Defendant Lack's Beach Service, Inc.*

January 13, 2025

## Eileen Hindman

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**From:** Murrell Smith <murrell@smithrobinsonlaw.com>  
**Sent:** Friday, January 10, 2025 3:02 PM  
**To:** Mitch Brown  
**Cc:** Fred Hanna; mullins@mcleod-lawgroup.com; Jennifer Lisandrelli  
**Subject:** Re: Moving Wolde appeal oral argument from 11:20 to 10:00 a.m.

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Mitch

I am fine with moving the hearing to 10:00. You have my consent to sign any request or representations to the court in switching the time of the argument. Thanks, Murrell

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**From:** Mitch Brown <mitch.brown@nelsonmullins.com>  
**Sent:** Friday, January 10, 2025 11:23:05 AM  
**To:** Murrell Smith <murrell@smithrobinsonlaw.com>  
**Subject:** Moving Wolde appeal oral argument from 11:20 to 10:00 a.m.

Hi Murrell:

I hope you are well! I'm trying to make it to Montana on February 12, but I can still do the argument that day if I can move the time of the oral argument from the 11:20 time slot to 10:00. I have contacted the lawyers currently at the 10:00 time slot, and both of them say they have no problem with this. If you can let me know you also have no objection to this, I can make a consent motion to switch the 10:00 argument time slot case with the 11:20 time oral argument time slot case, which will allow me to make it to Montana on February 12 after the argument concludes. Otherwise, I'm really not sure at all I can make it there. Please let me know as soon as you can, and thanks in advance for your consideration of this request. I need to get to that conference and be there the morning of February 13.

Regards,

Mitch

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## Eileen Hindman

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**From:** David A. Wilson <dwilson@greenvillesclaw.com>  
**Sent:** Thursday, January 9, 2025 7:45 PM  
**To:** Stephen Wukela  
**Cc:** Mitch Brown  
**Subject:** Re: Question about oral argument time on Feb 12

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Same here. I'm happy to switch.

David

On Jan 9, 2025, at 5:38 PM, Stephen Wukela <Stephen@wukelalaw.com> wrote:

Mitch:

No problem. Happy to switch.

Stephen

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**From:** Mitch Brown <mitch.brown@nelsonmullins.com>  
**Sent:** Thursday, January 9, 2025 5:29 PM  
**To:** Stephen Wukela <Stephen@wukelalaw.com>; dwilson@greenvillesclaw.com  
**Subject:** Question about oral argument time on Feb 12

Gentlemen:

I'm trying to make it to Montana the night of the 12<sup>th</sup>, and wondered if you guys care if I take your slot at 10:00 and give you my slot at 11:20 on Feb 12. I really need to get there on the 12<sup>th</sup> for a conference/event, and I think if I made a motion and said you guys were fine with this, the Court of Appeals would grant it (I hope and think). I believe if my argument is at 10:00 I can make it to Montana. If mine starts at 11:20, not sure I can, honestly. Please let me know. Thanks in advance for your consideration.

Mitch

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
Kirsti F. Curtis, Circuit Court Judge

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Appellate Case No. 2023-000569

Case No. 2019-CP-26-07075

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Meswaet Abel, as Personal Representative of the Estate  
of Zerihun Wolde and as Natural Parent and Legal  
Guardian of Adam Wolde and Wubit Wolde, .....

Respondent,

v.

Lack's Beach Service, Inc., City of Myrtle Beach, and  
Joe Doe Lifeguard, Defendants,

Of which Lack's Beach Service, Inc. is the.....

Appellant,

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**PROOF OF SERVICE**

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I, the undersigned Administrative Assistant, of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Lack's Beach Service, Inc., do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified, pursuant to the Supreme Court Order 2022-05-06-03, and a copy of that electronic mail.

Pleading(s): Consent Motion to Reschedule Oral Argument Time Slot on February 12

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Appellate Case No. 2026-000185*

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*Attorney for Respondent Conbraco Industries and Great American  
Insurance Company  
Appellate Case No. 2026-000185*



Eileen Hindman  
Administrative Assistant

January 13, 2025