

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL FROM DORCHESTER COUNTY

Court of Common Pleas

Hon. Maite D. Murphy, Circuit Court Judge

RECEIVED

Feb 04 2025

S.C. SUPREME COURT

Case No. 2019-001719

Appellate Case No. 2023-001045

Innovative Waste Management
Inc.,

Respondent,

v.

Crest Energy Partners GP, Crest
Energy Partners LP, Dunhill
Products LP, Henry Wuertz,

Appellants.

RESPONDENT'S RESPONSE IN OPPOSITION TO APPELLANTS'
MOTION FOR EXTENSION

On Wednesday, January 28, 2025 Appellants' counsel David Marvel informed the Court by email that he would be filing a motion for extension of time in which to file a petition for a new hearing "depending upon whether I have a trial going forward." The Court informed Mr. Marvel that any such motion was due on January 30, 2025. (attached as Exhibit 1)

On February 3, 2025 Respondent's counsel requested Mr. Marvel serve Respondent's counsel with a copy of any motion for extension he filed. He did not respond. Respondent learned today (February 4, 2025) that Mr. Marvel did in fact file a motion for extension on January 31, 2025 (1 day late) but failed to serve Respondents with a copy of the motion. As reflected in the record, this is par for the course for Mr. Marvel. Mr. Marvel's motion indicates that an extension is necessary not because of a trial, as represented in his earlier correspondence to the Court, but due to "weather events" in Georgia. Mr. Marvel did not attach anything to support his motion.

Respondent's respectfully request Mr. Marvel provide something, anything to support his assertion that a weather event in Georgia is grounds for an extension before this Honorable Court.

In light of Mr. Marvel's history of abusive tactics, his changing reasons for requesting an extension and his failure to provide any real reason for the relief he has requested, his motion should be denied. Respectfully submitted by attorneys for Respondent:

s/ Wm. M. Gruenloh
Wm. Michael Gruenloh, Esq.
Joseph Krause, Esq.
Gruenloh Law Firm
67 Moultrie Street, 2nd Floor
Charleston, SC 20403
Phone: (843) 577-0027
Email: mike@gruenlohlaw.com

Frederick Jekel, Esq.
930 Richland Street, Suite 300
Columbia, SC 29201
(803) 888-7130

For Appellants:

David B. Marvel, Esq.
Marvel Et Al., LLC
P.O. Box 22734
Charleston, SC 29413

RECEIVED

Feb 04 2025

S.C. SUPREME COURT

CERTIFICATE OF SERVICE

I Wm. M. Gruenloh certify that I have served a copy of this motion upon counsel for Petitioner by emailing him a copy on February 4, 2025.

s/Wm. M. Gruenloh



Wm. Michael Gruenloh <mike@gruenlohlaw.com>

Re: Innovative Waste Management v. Crest Energy Partners

1 message

Wm. Michael Gruenloh <mike@gruenlohlaw.com>

Mon, Feb 3, 2025 at 10:18 AM

To: "David B. Marvel" <dave@marvel.lawyer>

Cc: "Thompson, Ashli" <athompson@sccourts.org>, "fritz@j-dlaw.com" <fritz@j-dlaw.com>, "joe@gruenlohlaw.com" <joe@gruenlohlaw.com>

Dear Mr. Marvel:

Please email me a copy of the motion for extension if you filed one.

Thank you,

gruenlohlaw.com

Wm. Michael Gruenloh, Esq.

Partner

T 843.577-0027

F 843.577.0721

E mike@gruenlohlaw.com

A 67 MOULTRIE STREET, 2ND FLOOR, CHARLESTON, SC 29403

CONFIDENTIALITY NOTICE: This electronic mail transmission has been sent by an attorney. It may contain information that is confidential, privileged, proprietary or otherwise legally exempt from disclosure. If you are not the intended recipient, you are hereby notified that you are not authorized to read, print, retain, copy, or disseminate this message, or any part of it, or any attachments. If you have received this message in error, please delete this message and any attachments from your system without reading the content and notify the sender immediately of the inadvertent transmission. There is no intent on the part of the sender to waive any privilege, including the attorney-client privilege, that may attach to this communication. Thank you for your cooperation.

IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing, or recommending to another party any transaction or matter addressed in this communication or attachment.

On Wed, Jan 29, 2025 at 8:39AM David B. Marvel <dave@marvel.lawyer> wrote:

Thank you!

David B. Marvel
(843) 853-4877
dave@marvel.lawyer

Subject to Rule 3(i)

From: Thompson, Ashli <athompson@sccourts.org>**Sent:** Wednesday, January 29, 2025 8:37:52 AM**To:** David B. Marvel <dave@marvel.lawyer>**Cc:** mike@gruenlohlaw.com <mike@gruenlohlaw.com>; fritz@j-dlaw.com <fritz@j-dlaw.com>; joe@gruenlohlaw.com <joe@gruenlohlaw.com>**Subject:** RE: Innovative Waste Management v. Crest Energy Partners

Good morning,

That is correct, any rehearing will be due by tomorrow. If you intend to file an extension request it can go to supctfilings@sccourts.org, with filing fee in the postal mail or hand delivered.

Please also note, the motion for costs received on the 27th is being held until such time as the remittitur is issued.

Sincerely,

Ashli Thompson

Senior Case Management Specialist

Supreme Court of South Carolina

(803) 734-1080

From: David B. Marvel <dave@marvel.lawyer>
Sent: Wednesday, January 29, 2025 8:33 AM
To: Thompson, Ashli <athompson@sccourts.org>
Subject: Re: Innovative Waste Management v. Crest Energy Partners

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good morning! Am I correctly calculating that a petition for rehearing must be filed by tomorrow? I may need to file motion for an extension, depending on whether I have a trial going forward. I should find that out today.

David B. Marvel

(843) 853-4877

dave@marvel.lawyer

Subject to Rule 3(i)

From: Thompson, Ashli <athompson@sccourts.org>
Sent: Wednesday, January 15, 2025 9:24:55 AM
To: David B. Marvel <dave@marvel.lawyer>; mike@gruenlohlaw.com <mike@gruenlohlaw.com>; patrick@gruenlohlaw.com <patrick@gruenlohlaw.com>; thomas.drazan@derricklawfirm.com <thomas.drazan@derricklawfirm.com>; fritz@j-dlaw.com <fritz@j-dlaw.com>
Subject: Innovative Waste Management v. Crest Energy Partners

For your records.

Ashli Thompson

Senior Case Management Specialist

Supreme Court of South Carolina

(803) 734-1080

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.