

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

DeAndra G, Benjamin, Circuit Court Judge

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Case No. 2009-CP-18-0452

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RECEIVED

OCT 17 2013

SC Court of Appeals

Rita M. Pugh, ..... Respondent,

v.

Bi-Lo, LLC, ..... Appellant.

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**MOTION FOR EXTENSION**

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Pursuant to Rule 240, SCACR, Rita Pugh requests a 15-day extension of the deadline for filing and serving her Initial Brief of Respondent and designation of matter to be included in the record on appeal in this case. The current deadline is October 18, 2013. This is the third request for an extension of this deadline by the undersigned attorney, and the fourth overall request on Ms. Pugh's behalf.

This Court issued its order on September 23, 2013, in this matter advising Respondent that no further extensions would be granted absent extraordinary circumstances. Respondent posits such circumstances exist here.

1. Respondent's counsel is a member of the South Carolina Board of Law Examiners. Five hundred and twenty-five applicants sat for the July 2013 Bar Exam, which is an unusually high number for the summer Bar. The deadlines for

reporting preliminary grades and final grades are immutable and occurred during the period covered by the last extension.

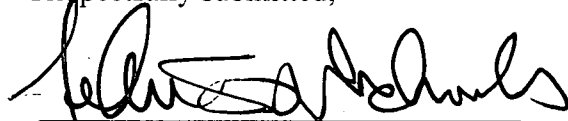
2. The managing partner in counsel's law firm is on a leave of absence dealing with a serious family illness. In her absence, Respondent's counsel has assumed some of the responsibilities for managing the law firm. Currently, the firm employs nine other lawyers and fifteen support staff.
3. Respondent's counsel has also had an unexpected family illness which required his attention. The illness involved the unexpected hospitalization of the family member for a period of four days.
4. Current counsel assumed control of this appeal after prior counsel (who was the trial counsel) had obtained one extension of time. The matter on appeal involved a jury trial over two days and Appellant has raised four issues in the Brief of Appellant, attacking the existence of evidence, the trial court's failure to give a jury instruction on comparative negligence, and the trial court's failure to grant a new trial based upon the verdict rendered.
5. Counsel for Respondent has consulted with counsel for Appellant, who agrees that extraordinary circumstances exist, and who further consents to this request for a fifteen (15) day extension.

Accordingly, counsel for Respondent requests that this Court find extraordinary circumstances exist and grant Respondent 15 additional days to complete her Brief and designation of matter to be included in the record on appeal. The new deadline would therefore be Monday, November 4, 2013.

/Signature page attached

October 17, 2013

Respectfully submitted,



John S. Nichols, SC Bar #4210

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Attorneys for Respondent

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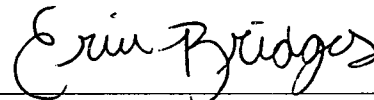
v.

Bi-Lo, LLC, ..... Appellant.

**PROOF OF SERVICE**

The undersigned hereby certifies that on the date indicated below he served  
counsel for the Appellant with a copy of the *Motion for Extension* by mailing copies of  
the same by United States Mail with first class postage prepaid to the following address:

Duke R. Highfield, Esquire  
Russell Grainger Hines, Esquire  
Brant R. Horton, Esquire  
Stephen L. Brown, Esquire  
Young Clement Rivers, LLP  
P.O. Box 993  
Charleston, SC 29402



John S. Nichols  
BLUESTEIN, NICHOLS, THOMPSON  
& DELGADO, LLC

October 17, 2013  
Columbia, South Carolina



Margaret Miles Bluestein  
John Shannon Nichols  
Stacy Elizabeth Thompson  
John Dennis Delgado  
Allison Paige Sullivan  
Ashley Trout Thompson  
Blake Alexander Hewitt  
Kenneth Henry Dojaquez  
John Clarke Newton

OF COUNSEL  
O. Eugene Powell, Jr.

October 17, 2013

**VIA HAND DELIVERY**

Honorable Jenny Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Rita M. Pugh v. Bi-Lo, LLC  
Case Tracking No.: 2012-212860

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a *Motion for Extension* in regards to this case. I have also enclosed a proof of service of this document on counsel for the Appellant and a \$25.00 check for filing this motion. Please return the additional filed copy to me via our courier.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges  
Paralegal to John S. Nichols  
BLUESTEIN, NICHOLS, THOMPSON &  
DELGADO, LLC

/emb

Enclosures

cc: Julio A. Rossington, Esquire  
Duke R. Highfield, Esquire  
Russell G. Hines, Esquire  
Brant R. Horton, Esquire  
Stephen L. Brown, Esquire