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Nov 13 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM SUMTER COUNTY

Court of Common Pleas

R. Kirk Griffin, Circuit Court Judge

Appellate Case No. 2023-000074

Ex Parte: Liberty Mutual Insurance Company and Horace Mann Property and
Casualty Insurance Company, Respondents,

In Re:

Howell D. Thompson and Tara L. Thompson,
Appellants,

v.

Carlos D. Toney,
Defendant.

**RESPONDENT LIBERTY MUTUAL INSURANCE COMPANY'S MOTION FOR
EXTENSION OF TIME TO FILE RETURN TO APPELLANTS' PETITION FOR
REHEARING**

Respondent Liberty Mutual Insurance Company respectfully requests an extension of time to file its Return to Appellants' Petition for Rehearing. The current deadline for Respondent's Return to Appellants' Petition for Rehearing is November 20, 2025. Respondent requests an extension until December 5, 2025. Respondent requests this extension because of scheduling issues, professional obligations of counsel, and the upcoming Thanksgiving holiday.

This is Respondent's first request for an extension of these deadlines. Respondent requests the current deadline be held in abeyance until this Court issues an order on this motion.

Counsel for Appellants and counsel for Co-Respondent Horace Mann consent to this extension request.

Respectfully submitted,

SWEENY, WINGATE & BARROW, PA

s/ Aaron J. Hayes

Richard E. McLawhorn, Jr.

Aaron J. Hayes

Sweeny Wingate & Barrow, P.A.

Post Office Box 12129

Columbia, S.C. 29211

(803) 256-2233

**ATTORNEYS FOR RESPONDENT LIBERTY
MUTUAL INSURANCE COMPANY**

Columbia, South Carolina

November 13, 2025

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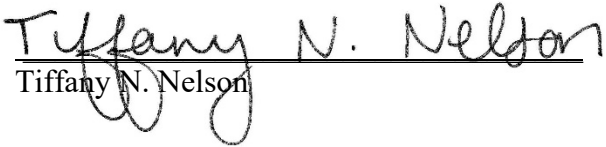
Carlos D. Toney,
Defendant.

PROOF OF SERVICE

I certify that a true copy of Respondent Liberty Mutual Insurance Company's Motion for Extension of Time in this case has been served on the following, this 13th day of November 2025, by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System pursuant to Rule 262 of the South Carolina Appellate Court Rules and the May 6, 2022 Order of the South Carolina Supreme Court (Appellate Case No. 2020-000447):

Served email addresses to appear on following page.

G. Murrell Smith, Jr., Esq., counsel for Appellants, at murrell@smithrobinsonlaw.com
Jonathan M. Robinson, Esq., counsel for Appellants, at jon@smithrobinsonlaw.com
Shanon N. Peake, counsel for Appellants, at shanonp@smithrobinsonlaw.com
John D. Kassel, Esq., counsel for Appellants, at jkassel@kassellaw.com
Theile B. McVey, Esq., counsel for Appellants, at tmcvey@kassellaw.com
Jamie R. Rutkowski, counsel for Appellants, at jrutkowski@kassellaw.com
Andrew N. Safran, Esq., counsel for Appellants, at msa6631@aol.com
Karl S. Brehmer, Esq., counsel for Respondent Horace Mann, at ksb@brownandbrehmer.com


Tiffany N. Nelson

Columbia, South Carolina

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SWEENY WINGATE & BARROW P.A.

SC Court of Appeals

November 13, 2025

Reply to: Main Office

Aaron J. Hayes
(803) 256-2233
ajh@swblaw.com

VIA E-FILING to ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Ex Parte: Liberty Mutual Insurance Company, et al., Respondents
In Re: Howell & Tara Thompson, Appellants v. Carlos Toney, Defendant
Appellate Case No: 2023-000074
Our File: 5590-12532

Dear Ms. Kitchings:

Please find enclosed a copy of Respondent Liberty Mutual Insurance Company's Motion for Extension of Time to File Return to Petition for Rehearing in the above-referenced matter. Hand-delivered with a copy of this cover letter is a check for the \$50.00 filing fee.

Please let me know if anything further is required from Respondent Liberty Mutual concerning this motion.

Sincerely,

SWEENY, WINGATE & BARROW, P.A.

Aaron J. Hayes

AJH/tnn

cc: Richard E. McLawhorn, Jr., Esquire (via email)
Karl S. Brehmer, Esquire (via email)
John D. Kassel, Esquire (via email)
Andrew N. Safran, Esquire (via email)
Theile B. McVey, Esquire (via email)

November 13, 2025

Page 2 of 2

Jamie R. Rutkoski, Esquire (via email)

Murrell G. Smith, Jr., Esquire (via email)

Jonathan M. Robinson, Esquire (via email)

Shanon N. Peake, Esquire (via email)

Clerk of Court, Court of Appeals (via hand-delivery; cover letter and filing fee only)