

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-in-Equity

Appellate Case No. 2013-001808

70373

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NOV 14 2013

SC Court of Appeals

Samuel H. Pruett, as Personal Representative for the Estate of
Yvonne Carrie Pruett,.....Respondent,

v.

Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina
House of Hilton Head, and Sonia S. King,.....Defendants,

Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head are theAppellants.

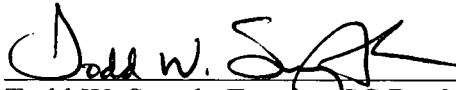
**APPELLANTS' MOTION FOR SUBSTITUTION OF COUNSEL AND 30-DAY
EXTENSION IN WHICH TO FILE INITIAL BRIEF AND DESIGNATION OF
MATTER**

THIS MATTER COMES before the Court on joint motion of Todd W. Smyth
of Smyth Whitley, LLC and Manton M. Grier, Jr. of Nexsen Pruet, LLC, on behalf of
Appellants Brookdale Senior Living, Inc. and Southern Assisted Living, LLC d/b/a
Carolina House of Hilton Head as evidenced by their below signatures, who request
that the Court substitute Todd W. Smyth as counsel of record for the Appellants
Brookdale Senior Living, Inc. and Southern Assisted Living, LLC pursuant to Rule
264, SCACR.

In addition, Appellants respectfully request a 30-day extension in which to file
their Initial Brief and Designation of Matter to be Included in the Record on Appeal
pursuant to Rule 263(b), SCACR. The grounds for this Motion are that the undersigned

counsel is just being substituted into this case and has not yet had the opportunity to review the case materials and prepare the Initial Brief and Designation of Matter. The current deadline is November 20, 2013. With the proposed extension, the new deadline would be December 20, 2013.

Respectfully Submitted,



Todd W. Smyth, Esquire, SC Bar No. 5380
Joshua S. Whitley, Esquire, SC Bar No. 77824
Claude O. Tackett, Esquire, SC Bar No. 72988
SMYTH WHITLEY, LLC
234 Seven Farms Drive
BB&T Plaza, Suite 215
Charleston, South Carolina 29492

And



Marcus A. Manos, SC Bar #011876
Manton M. Grier, Jr., SC Bar #70525
NEXSEN PRUET, LLC
1230 Main Street, Suite 700 (29201)
Post Office Drawer 2426
Columbia, South Carolina 29202

November 14, 2013

Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
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House of Hilton Head, and Sonia S. King,.....Defendants,


Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head are theAppellants.

PROOF OF SERVICE

The undersigned certifies that a copy of the Appellants' Motion for
Substitution of Counsel and 30-Day Extension in Which to File Initial Brief and
Designation of Matter has been served upon counsel of record by depositing a copy of
same, first-class postage prepaid in the United States Mail, on the 14th day of
November, 2013, to the addresses shown below:

Susan Taylor Wall, Esquire
McNAIR LAW FIRM, P.A.
Post Office Box 1431
Charleston, SC 29402

Kelly M. Jolley, Esquire
McNAIR LAW FIRM, P.A.
Post Office Drawer 3
Hilton Head Island, SC 29938



Catherine M. Rhodes, Paralegal
Smyth Whitley, LLC



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

November 14, 2013

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

Re: *Yvonne Carrie Pruett v. Brookdale Senior Living, Inc., Southern Assisted Living, LLC
and Sonia S. King*
C/A No. 2008-CP-07-1700
Appellate Case No.: 2013-001808
SW File No. 10001.0009

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven copies of Appellants' Motion for Substitution of Counsel and 30-Day Extension to File Initial Brief and Designation of Matter to be Included in the Record on Appeal, and a Proof of Service in the above-referenced matter. Please return a clocked copy to me via courier. I have also enclosed a check in the amount of \$25.00 for the filing fee.

Thank you for your time and assistance with this matter. Please do not hesitate to contact our office should you have any questions or concerns.

Sincerely,

Todd W. Smyth
TWS/cmr
Enclosures

cc(w/enc.): Kelly M. Jolley, Esquire
Susan T. Wall, Esquire