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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
In The Court of Common Pleas,
Thirteenth Judicial Circuit
The Hon. Perry H. Gravely, Circuit Court Judge

Case No. 2018-CP-23-04092 / Case No. 2022-CP-23-01310
Ct. App. Case No. 2025-001630

Sealevel Systems, Inc.,

Appellant,

v.

CreatiVasc Medical, Inc., DiaxaMed LLC,
successor in interest to Brookhaven Vascular, Inc.,
successor in interest to Brookhaven Merger Corp.,
successor in interest to CreatiVasc Medical, Inc.,

Respondents.

**SECOND CONSENT MOTION FOR EXTENSION ON
DEADLINE FOR RESPONDENT'S BRIEF**

Robert E. Sumner IV, Esquire
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25 Calhoun Street, Suite 250
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Telephone: 843.277.3705

Attorneys for the Respondent Diaxamed, LLC

Upon the Parties' Consent Motion, through their undersigned counsel, Respondent DiaxaMed LLC does hereby move this court to extend the time to file Respondent's Brief in this matter by thirty (30) days. Approval of this Consent Motion would place the new deadline on April 24, 2026.

WE CONSENT:

s/ Robert E. Sumner IV
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Attorney for Respondent Diaxamed, LLC

---AND---

WE CONSENT

s/Kirby D. Shealy III
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*Counsel to Respondents CreatiVasc Medical, Inc., Diaxamed, LLC,
successor in interest to Brookhaven Vascular, Inc., successor in interest to Brookhaven Merger
Corp. successor in Interest to CreatiVasc Medical, Inc.*

--AND--

WE CONSENT:

s/ Ainsley F. Tillman

Ainsley F. Tillman (SC Bar No. 70551)

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Attorneys for Appellant

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successor in interest to Brookhaven Vascular, Inc.,
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successor in interest to CreatiVasc Medical, Inc.,

Respondents.

**PROOF OF SERVICE
FOR THE SECOND CONSENT MOTION FOR EXTENSION ON
DEADLINE FOR RESPONDENT'S BRIEF**

Robert E. Sumner IV (SC Bar No. 71728)
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Charleston, SC 29401
Telephone: 843/277-3700

Attorneys for Respondent Diaxamed, LLC

I, Robert E. Sumner IV, Esquire, hereby certify that on January 26, 2026, I served a copy of the **Second Consent Motion for Extension on Deadline for Respondent's Brief** submitted by the Respondents, CreatiVasc Medical, Inc., DiaxaMed LLC, successor in interest to Brookhaven Vascular, Inc., successor in interest to Brookhaven Merger Corp., and successor in interest to CreatiVasc Medical, Inc., via the United States Mail, postage pre-paid, and addressed as follows, as well as by e-mail at the address noted:

Ainsley F. Tillman
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*Counsel to Respondents CreatiVasc Medical, Inc., Diaxamed, LLC,
successor in interest to Brookhaven Vascular, Inc., successor in interest to Brookhaven Merger
Corp. successor in Interest to CreatiVasc Medical, Inc.*

Signed: **s/ Robert E. Sumner IV**
Robert E. Sumner IV

Charleston, South Carolina

March 4, 2026

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SC Court of Appeals

VIA FEDERAL EXPRESS AND EMAIL

Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

Re: **Sea Level Systems [Appellant] v. CreatiVasc Medical, Inc., DiaxaMed LLC,
successor in interest to Brookhaven Vascular, Inc.,
successor in interest to Brookhaven Merger Corp.,
successor in interest to CreatiVasc Medical, Inc. [Respondents]**
Appellate Case Number: 2025-001630

Dear Clerk:

Enclosed is our firm check in the amount of \$50.00 representing the filing fee for the Second Consent Motion for Extension on Deadline for Respondent's Brief, which was emailed on March 4, 2026.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Butler Snow LLP



Robert E. Sumner, IV

RES:kbt

Enclosure

Cc (via email): Kirby D. Shealy III
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Wesley D. Few

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