

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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DEC 27 2013

SC Court of Appeals

Appeal from Dorchester County
Court of Common Pleas

DeAndrea G. Benjamin, Circuit Court Judge

Case No. 2009-CP-18-0452

Rita M. Pugh,

Respondent,

v.

Bi-Lo, LLC,

Appellant.

**CONSENT MOTION
TO STAY APPELLATE DEADLINES
ON ACCOUNT OF SETTLEMENT**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Duke R. Highfield (SC Bar No. 64224)
Brandt R. Horton (SC Bar No. 72572)
Russell G. Hines (SC Bar No. 72100)
P.O. Box 993
Charleston, South Carolina 29402
(843) 720-5488
Attorneys for the Appellant

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA
COURT OF APPEALS

COMES NOW the Appellant, Bi-Lo, LLC, by and through its undersigned counsel, with the consent of the Respondent, Rita M. Pugh, by and through her undersigned counsel, and moves this Honorable Court as follows for a stay of all appellate deadlines (including especially the present deadline for the Appellant to serve/file any initial reply brief and corresponding designation of matter to be included in the record on appeal) on account of the parties' settlement of this matter.

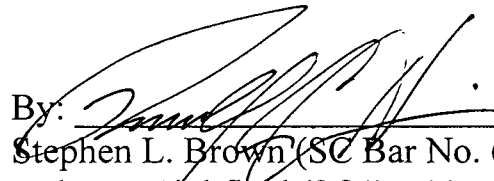
By Order filed December 12, 2013, the Court extended the time for serving/filing the Appellant's initial reply brief until today, December 20, 2013. The parties have recently reached an agreement in principle to fully and finally resolve this matter but, out of an abundance of caution, are in need of time to consummate the settlement before formally asking the Court to dismiss this appeal.

WHEREFORE, the Appellant, with the consent of the Respondent, moves for all deadlines in this appeal (to include especially the deadline for the Appellant to serve/file any initial reply brief and corresponding designation of matter) to be stayed for a period of thirty (30) days from today, i.e., through January 20, 2014 (or, to the extent that this request is more appropriately called a request for an extension, to extend the

Appellant's deadline for serving/filing its initial reply brief through said date). The parties are working to consummate their settlement in the near future and expect to be able to request dismissal of this appeal with a remand to the circuit court to effectuate the terms of their settlement well within the thirty (30) days requested. If, for some reason, however, the parties are not able to accomplish this within thirty (30) days' time, they will report back to the Court by January 20, 2014 to advise as to the status of their settlement. Lastly, the parties ask that the Appellant's present reply-briefing deadline be held in abeyance pending the Court's action on this motion.

Respectfully submitted,

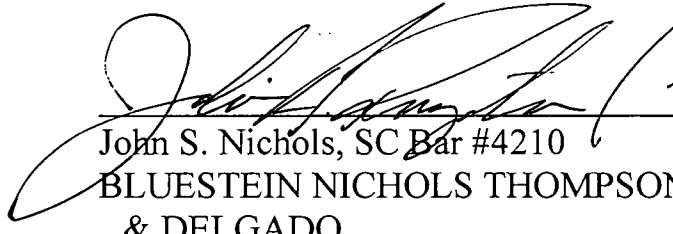
YOUNG CLEMENT RIVERS, LLP

By: 
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Charleston, South Carolina

Dated: 12/20/13

WE CONSENT:

 *by Paul H. H.*
with permission

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Attorneys for the Respondent

**THE STATE OF SOUTH CAROLINA
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Rita M. Pugh,

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PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP
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Attorneys for the Appellant

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for the Appellant above named, do hereby certify that I have served the **CONSENT MOTION TO STAY APPELLATE DEADLINES ON ACCOUNT OF SETTLEMENT** on the above-named Respondent by depositing a copy of the same in the United States Mail, postage prepaid, on December 20, 2013, addressed as follows to the Respondent's counsel of record:

Julio A. Rossington, Esquire
Rossington Law Offices, LLC
1317-M N. Main Street, #140
Summerville, SC 29483

and

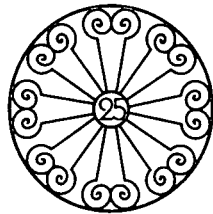
John S. Nichols, Esquire
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YOUNG CLEMENT RIVERS, LLP

By: 
Russell G. Hines (SC Bar No. 72100)

Charleston, South Carolina

Dated: 12/20/13



YCR LAW
Young Clement Rivers, LLP

Jennifer L. McGibbon
Secretary

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1369
E-mail: jmcgibbon@ycrlaw.com

December 20, 2013

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
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SC Court of Appeals

Re: Rita M. Pugh v. Bi-Lo, LLC
Appellate Case No.: 2012-212860
Case No.: 2009-CP-18-0452
Claim No.: 440L29727701
Date of Loss: 8/31/2008
YCR File: 5457-20090359

Dear Ms. Kitchings:

Enclosed for filing please find the original and six copies of the Consent Motion for Dismissal of Appeal and Remit to Circuit Court to Effectuate Settlement and Proof of Service for the above-referenced matter. I kindly request that you file the original and return the court-stamped copy to me in the enclosed self-addressed stamped envelope. By copy of this letter, I am notifying all counsel of record of this filing. Should you have any questions regarding this filing, please feel free to contact our office.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Jennifer L. McGibbon
Secretary

JLM/jlm

Enclosures

cc: Julio Rossington, Esquire
John S. Nichols, Esquire