

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Vernon F. Dunbar, Circuit Court Judge

Case No. 2025-CP-23-04210
Appellate Case No. 2026-000858

RECEIVED

Aug 07 2026

SC Court of Appeals

FRANK GEORGE ROGERS, individually and derivatively
as a member and on behalf of Exodus Aircraft, LLC,

Respondent,

v.

JOSHUA BRETT KIMBRELL, LILIYA SCHCERBA
ROBERTSON KIMBRELL, EXODUS AIRWAYS, LLC, THOMAS
BLAKE WHITAKER, Defendants,

of which JOSHUA BRETT KIMBRELL and LILIYA SCHCERBA
ROBERTSON KIMBRELL are the

Appellants.

**MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF AND RECORD ON APPEAL**

The undersigned counsel, on behalf of Appellants Joshua Kimbrell and Liliya Kimbrell, respectfully requests the Court extend the time to file the opening brief for 14 days, until August 21, 2026.

The current deadline is August 7, 2026 (today). Counsel is currently in a mediation in Charlotte, North Carolina, in two related cases pending in the Eastern and Western Districts of North Carolina federal court that has taken a significant amount of time to prepare over the last two weeks. Multiple carriers and government entities are involved. Additionally, counsel has three separate federal appellate deadlines in the near future. However, he has completed a significant amount of work on this appeal and foresees no problem filing it in the next 14 days.

Counsel understands the Court's prior admonition that no further extensions would be granted absent extraordinary circumstances and apologizes for having to ask for

an additional extension. However, based on the short extension requested and the important issues in this case counsel believes this is a reasonable request.

This request is based on counsel's current case load and other pending deadlines and is not intended to delay the matter. Additionally, counsel has consulted with opposing counsel Hannah Metcalfe who does not object to the request for an extension.

Respectfully Submitted,

s/ Joshua Snow Kendrick

Joshua Snow Kendrick (SC ID 70453)

KENDRICK & LEONARD, P.C.

7 Mills Avenue (29605)

P.O. Box 6938

Greenville, SC 29606

Tel: (864) 760-4000

Josh@KendrickLeonard.com

August 7, 2026
Greenville, South Carolina

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CERTIFICATE OF SERVICE

The undersigned counsel certifies he has served a copy of this Request for Extension by electronic mail on opposing counsel at the following e-mail addresses this 7th day of August, 2026. All parties are informed that counsel will mail a hard copy if requested:

Hannah Rogers Metcalfe, Esquire
HMetcalfe@MALawFirmSC.com

Respectfully Submitted,

s/ Joshua Snow Kendrick

Joshua Snow Kendrick (SC ID 70453)
KENDRICK & LEONARD, P.C.
7 Mills Avenue (29605)
P.O. Box 6938
Greenville, SC 29606
Tel: (864) 760-4000
Josh@KendrickLeonard.com

August 7, 2026
Greenville, South Carolina