

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Roger L. Couch, Circuit Court Judge

70867

Case No. 2013-002499

Anderson County, Appellant,

vs.

Joey Preston and The South Carolina Retirement System, Respondents.

**CONSENT MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF OF
APPELLANT AND FOR INCREASE IN PAGE LIMITS FOR OPENING BRIEFS**

The undersigned, as attorney for Appellant Anderson County, respectfully moves this Court for a thirty-day extension of time, until and including February 26, 2014, within which to file the Initial Brief of Appellant and Designation of Matter to be included in the Record on Appeal.

In addition, the undersigned moves this Court for approval of an increase in the page limits for each party's opening Brief from fifty pages to sixty pages. This increase is requested because this matter presents a number of novel issues of substantial public importance. Among other things, the case presents the question of when a severance agreement of a public official, approved by a vote of County Council, may be rescinded because of votes that were cast by Council members who should not have voted. In

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addition, the case was tried over five days and the record is extensive. Appellant believes the additional pages will help the parties make a clear and complete presentation to the Court.

Appellant has not previously requested an extension of the briefing deadline. The undersigned has communicated with counsel for the Respondents, who have graciously consented to the extension of time and the request for an increase in page limits.

Appellant respectfully requests that this Court (i) grant Appellant a thirty-day extension to file its Initial Brief and Designation of Matter, making those documents due February 26, 2014; and (ii) approve for good cause shown the increase in page limits requested for all parties.

Respectfully submitted,



J. Theodore Gentry (No. 64038)
Troy A. Tessier (No. 13354)
Wade S. Kolb III (No. 100379)
WYCHE, P.A.
44 East Camperdown Way
Greenville, SC 29601
864-242-8200

Alice W.W. Parham (No. 13459)
WYCHE, P.A.
801 Gervais Street, Suite B
Columbia, SC 29201
803-254-6542

**ATTORNEYS FOR APPELLANT
ANDERSON COUNTY**

January 2, 2014

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Roger L. Couch, Circuit Court Judge

Appellate Case No.: 2013-002499

Anderson County.Appellant,

v.

Joey Preston and The South Carolina Retirement System..... Respondents.

CERTIFICATE OF SERVICE

The undersigned counsel for Appellant certifies that the Consent Motion for Extension of Time to File Initial Brief of Appellant and for Increase in Page Limits for Opening Briefs have been served upon other counsel of record by depositing copies of same in the U.S. Mail, first-class postage prepaid, addressed as follows:

Lane W. Davis, Esquire
NELSON MULLINS RILEY & SCARBOROUGH,
LLP
P.O Box 10084
Greenville, SC 29603

David K. Avant, Esquire
Justin Werner, Esquire
SOUTH CAROLINA RETIREMENT SYSTEM
Fontaine Business Center
202 Arbor Lake Drive
Columbia, SC 29223
*Attorneys for Respondent South Carolina
Retirement System*

Candy Kern-Fuller, Esquire
UPSTATE LAW GROUP, LLC
200 East Main Street
Easley, SC 29640

Attorneys for Respondent Joey Preston

Respectfully submitted,



J. Theodore Gentry (No. 64038)
Troy A. Tessier (No. 13354)
Wade S. Kolb III (No. 100379)
WYCHE, P.A.
44 East Camperdown Way
Greenville, SC 29601
864-242-8200

Alice W.W. Parham (No. 13459)
WYCHE, P.A.
801 Gervais Street, Suite B
Columbia, SC 29201
803-254-6542

January 2, 2013

Attorneys for Appellant Anderson County

W Y C H E

Attorneys at Law

January 2, 2014

Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211


RE: *Anderson County v. Joey Preston and The South Carolina Retirement System*
Case Tracking No.: 2013-002499

Dear Ms. Kitchings:

We represent Appellant Anderson County in this matter. Enclosed are the original and seven copies of a consent motion, which seeks (i) a 30-day extension of time for Anderson County to file its Initial Brief and Designation of Matter for the Record on Appeal; and (ii) an increase in opening brief page limits for all parties, from fifty pages to sixty pages.

Enclosed is a check for the \$25 motion fee. Please return one file-stamped copy of the motion in the enclosed envelope.

With highest regards,



J. Theodore Gentry
(864) 242-8270
tgentry@wyche.com

Enclosure

c: Lane Davis, Esquire
Candy Kern-Fuller, Esquire
David K. Avant, Esquire
Justin Werner, Esquire

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SC Court of Appeals

W Y C H E
PROFESSIONAL ASSOCIATION

44 East Camperdown Way, Greenville, SC 29601-3512
p: 864.242.8200 | f: 864.235.8900
www.wyche.com

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44 East Camperdown Way
Greenville, South Carolina 29601

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Attorneys at Law

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Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

