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†CERTIFIED MEDIATOR AND ARBITRATOR  
\*ALSO ADMITTED IN TEXAS

February 3, 2014

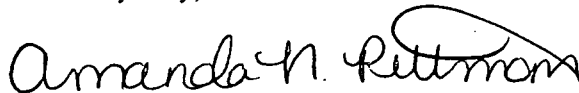
Jenny Abbott Kitchings  
South Carolina Court of Appeals  
Clerk of Court  
1015 Sumter Street  
Columbia, South Carolina 29201

RE: Peter T. Phillips and Summar C. Phillips v. Omega Flex, Inc, John Wieland Homes and  
Neighborhoods of the Carolinas, Inc., AAA Plumbing, LLC., Fogel Services, Inc., Charleston  
LEC, Inc.  
Appellate Case Number: 2013-001449  
Trial Court Case Number: 2012-CP-10-03870

Dear Ms. Kitchings:

This letter is to request a ten (10) day extension to file Respondent Peter T. Phillips and Summar C. Phillips' initial brief regarding the above-referenced case. Respondents' counsel seeks the extension on the grounds that our office was closed all day on Tuesday, January 28, 2014, and Wednesday, January 29, 2014, and we were only open for part of the day on Thursday, January 30, 2014, due to the snow. All other counsel involved in this case has consented to this extension. Omega Flex, Inc., has also requested a ten (10) day extension. Enclosed please find my firm's check in the amount of \$25.00 to cover the request, and I am informing all counsel of record by copy of this letter.

Yours very truly,



Amanda N. Pittman

cc: R. Patrick Flynn, Esquire  
Christopher M. Ramsey, Esquire  
Jeffrey A. Ross, Esquire  
Robert H. Hood, Esquire  
Robert H. Hood, Jr., Esquire  
A. Walker Barnes, Esquire  
Everett A. Kendall, II, Esquire  
J. Eric Cavanaugh, Esquire  
John P. Linton, Jr., Esquire  
G. Trenholm Walker, Esquire

**RECEIVED**

FEB 03 2014

**SC Court of Appeals**

02/03/2014 15:18 FAX

McDonald, McKenzie, Rubin, Miller and Lybrand

1704 Main Street, 2<sup>nd</sup> Floor  
Post Office Box 568  
Columbia, South Carolina 29202  
(803) 252-0500  
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**RECEIVED**

FEB 03 2014

**SC Court of Appeals**

Miller

**FAX COVER SHEET**

FAX NUMBER TRANSMITTED TO: (843) 727-2239

To: John Linton, Jr.  
From: Bob McKenzie  
Client/Matter: Phillips vs. Omegaflex, et al. - request for extension  
Date: February 3, 2014

**DOCUMENTS**

Walker Barnes' email

**NUMBER OF PAGES**

one

COMMENTS: John: Confirming our phone conversation of this morning, you have consented to the Phillips having an extension to file their brief in the Court of Appeals. Walker Barnes has also sought an extension for Omegaflex by the attached email. You and I talked about a week and Walker is seeking 10 days for both of us. I assume you have no objection to giving both of us 10 additional days. I would appreciate your signing a copy of this fax to confirm your consent on behalf of the Appellant and faxing same back to me. Thanks for your help! Bob



IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE MELINDA RYKBOST IMMEDIATELY AT (803) 252-0500

## Robert McKenzie

---

**From:** Walker Barnes <walker.barnes@hoodlaw.com>  
**Sent:** Monday, February 03, 2014 10:41 AM  
**To:** John McKenzie; Robert McKenzie; jpl@p-tw.com; gtw@p-tw.com;  
jross@clawsonandstaubes.com; Eric Cavanaugh (JEC@swblaw.com); eak@swblaw.com;  
rpf@roblaw.net; cmr@roblaw.net  
**Cc:** Trish Friel  
**Subject:** Phillips v. Omega Flex, at al. - EXTENSION REQUEST TO FILE OMEGA FLEX RESPONDENT BRIEF

**Importance:** High

Gentlemen:

I spoke to Bob McKenzie this morning, and he may have already called each of you as well. We gave Plaintiffs our consent to an extension to file their Respondent Brief and Designations, and I write now to request the same for Omega Flex's Respondent Brief and Designations. Can everyone agree to give Plaintiffs and Omega Flex a 10-day extension to file their respective Respondent Briefs and Designations? The new deadline would be on **February 13, 2014**. Please confirm if everyone is OK with that.

-Walker

**Walker Barnes**  
Attorney  
[Walker.Barnes@hoodlaw.com](mailto:Walker.Barnes@hoodlaw.com)

**HOOD**  
**LAW FIRM**  
LLC

172 Meeting Street  
P.O. Box 1508  
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## Robert McKenzie

---

**From:** Eric Cavanaugh <JEC@swblaw.com>  
**Sent:** Monday, February 03, 2014 1:27 PM  
**To:** Robert McKenzie  
**Cc:** Rett Kendall; John McKenzie  
**Subject:** Re: Phillips vs. Omegaflex, et al.

We consent.

Eric

Sent from my iPhone

On Feb 3, 2014, at 10:25 AM, "Robert McKenzie" <[mckenzie@mmrml.com](mailto:mckenzie@mmrml.com)> wrote:

Rett and Eric: We need your consent for an extension to file our brief and Walker Barnes also needs it for Omegaflex. We are all on the same side of the issue where John Weiland Homes is trying to compel arbitration.

We have to have it in writing from everyone in the case today to avoid filing a motion. I tried to call both of you today, but neither of you were in. The extension is until February 13, 2014. Everyone has consented but you on behalf of your client. Could either one of you email me your consent so we can get the court to issue the extension? If we need to talk, my phone is 252-0500. Thanks! Bob

## Robert McKenzie

---

**From:** Chris Ramsey <cmr@roblaw.net>  
**Sent:** Monday, February 03, 2014 11:42 AM  
**To:** Walker Barnes; John McKenzie; Robert McKenzie; jpl@p-tw.com; gtw@p-tw.com; jross@clawsonandstaubes.com; Eric Cavanaugh (JEC@swblaw.com); eak@swblaw.com; R. Patrick Flynn  
**Cc:** Trish Friel  
**Subject:** RE: Phillips v. Omega Flex, at al. - EXTENSION REQUEST TO FILE OMEGA FLEX RESPONDENT BRIEF

Lanehart Electric consents to an extension for Plaintiffs and Omega Flex to file their briefs. Take as long as you need.

Chris

**From:** Walker Barnes [<mailto:walker.barnes@hoodlaw.com>]  
**Sent:** Monday, February 3, 2014 10:41 AM  
**To:** John McKenzie ([jackm@mmrml.com](mailto:jackm@mmrml.com)); [mckenzie@mmrml.com](mailto:mckenzie@mmrml.com); [jpl@p-tw.com](mailto:jpl@p-tw.com); [gtw@p-tw.com](mailto:gtw@p-tw.com); [jross@clawsonandstaubes.com](mailto:jross@clawsonandstaubes.com); Eric Cavanaugh ([JEC@swblaw.com](mailto:JEC@swblaw.com)); [eak@swblaw.com](mailto:eak@swblaw.com); R. Patrick Flynn; Chris Ramsey  
**Cc:** Trish Friel  
**Subject:** Phillips v. Omega Flex, at al. - EXTENSION REQUEST TO FILE OMEGA FLEX RESPONDENT BRIEF  
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-Walker

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**From:** John McKenzie  
**Sent:** Monday, February 03, 2014 11:18 AM  
**To:** Walker Barnes; Robert McKenzie; [jpl@p-tw.com](mailto:jpl@p-tw.com); [gtw@p-tw.com](mailto:gtw@p-tw.com); [jross@clawsonandstaubes.com](mailto:jross@clawsonandstaubes.com); Eric Cavanaugh ([JEC@swblaw.com](mailto:JEC@swblaw.com)); [eak@swblaw.com](mailto:eak@swblaw.com); [rpf@roblaw.net](mailto:rpf@roblaw.net); [cmr@roblaw.net](mailto:cmr@roblaw.net)  
**Cc:** Trish Friel  
**Subject:** RE: Phillips v. Omega Flex, at al. - EXTENSION REQUEST TO FILE OMEGA FLEX RESPONDENT BRIEF

Walker:

Just so that you have it in writing, the Plaintiffs give you our consent.

Jack  
(803) 252-0500

---

**From:** Walker Barnes [<mailto:walker.barnes@hoodlaw.com>]  
**Sent:** Monday, February 03, 2014 10:41 AM  
**To:** John McKenzie; Robert McKenzie; [jpl@p-tw.com](mailto:jpl@p-tw.com); [gtw@p-tw.com](mailto:gtw@p-tw.com); [jross@clawsonandstaubes.com](mailto:jross@clawsonandstaubes.com); Eric Cavanaugh ([JEC@swblaw.com](mailto:JEC@swblaw.com)); [eak@swblaw.com](mailto:eak@swblaw.com); [rpf@roblaw.net](mailto:rpf@roblaw.net); [cmr@roblaw.net](mailto:cmr@roblaw.net)  
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## Robert McKenzie

---

**From:** Rett Kendall <EAK@swblaw.com>  
**Sent:** Monday, February 03, 2014 3:08 PM  
**To:** 'Walker Barnes'; John McKenzie; Robert McKenzie; jpl@p-tw.com; gtw@p-tw.com; jross@clawsonandstaubes.com; Eric Cavanaugh; rpf@roblaw.net; cmr@roblaw.net  
**Cc:** Trish Friel  
**Subject:** RE: Phillips v. Omega Flex, at al. - EXTENSION REQUEST TO FILE OMEGA FLEX RESPONDENT BRIEF

Agreed.

Rett



Everett A. Kendall, II | *Member*  
Sweeney, Wingate & Barrow, P.A.

1515 Lady St. (29201)  
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Columbia, SC 29211

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**Sent:** Monday, February 03, 2014 10:41 AM  
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