

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

71415

Marvin H. Dukes, III, Master-in-Equity

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Appellate Case No. 2013-001808

FEB 28 2014

SC Court of Appeals

Samuel H. Pruett, as Personal Representative for the Estate of
Yvonne Carrie Pruett,.....Respondent,

v.

Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina
House of Hilton Head, and Sonia S. King,.....Defendants,

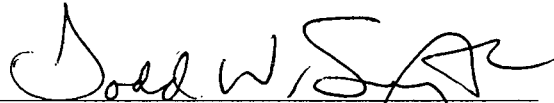
Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head are theAppellants.

**CONSENT MOTION FOR 60-DAY EXTENSION FOR APPELLANTS TO FILE
REPLY BRIEF AND RETURN TO RESPONDENT'S MOTION TO STRIKE
PORTIONS OF APPELLANTS' DESIGNATION OF MATTER**

THIS MATTER COMES before the Court on motion of Todd W. Smyth of
Smyth Whitley, LLC, on behalf of Appellants Brookdale Senior Living, Inc. and
Southern Assisted Living, LLC d/b/a Carolina House of Hilton Head, who respectfully
requests that the Court grant Appellants a 60-day extension in which to file both their
Reply Brief and Return to Respondent's Motion To Strike Portions Of Appellants'
Designation Of Matter. Respondent Samuel H. Pruett, as Personal Representative for
the Estate of Yvonne Carrie Pruett, consents to Appellants' Motion, as evidenced by
the below signature of Respondent's counsel Susan Taylor Wall of McNair Law Firm,
P.A. The grounds for this Motion are that the parties have agreed to basic settlement
terms and are working to have the settlement approved by the Circuit Court prior to filing

an Agreed Dismissal of this appeal. A 60-day extension should provide the parties enough time to get the settlement terms finalized and approved, and file an Agreed Dismissal prior to the time Appellants would be required to file the above referenced Reply Brief and Return. The current deadline for Appellants to file both their Reply Brief and Return to Respondent's Motion is February 28, 2014. With the proposed extension, the new deadline would be April 29, 2014.

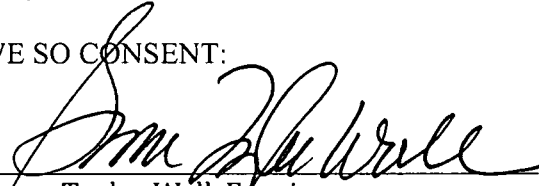
Respectfully Submitted,



Todd W. Smyth, Esquire, SC Bar No. 5380
Joshua S. Whitley, Esquire, SC Bar No. 77824
Claude O. Tackett, Esquire, SC Bar No. 72988
SMYTH WHITLEY, LLC
234 Seven Farms Drive
BB&T Plaza, Suite 215
Charleston, South Carolina 29492
(843)606-5635

Attorneys for the Appellants Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a Carolina House of Hilton Head

WE SO CONSENT:



Susan Taylor Wall, Esquire
McNair Law Firm, P.A.
Post Office Box 1431
Charleston, South Carolina 29402
Phone: (843)723-7831

Kathleen C. Barnes, Esquire
McNair Law Firm, P.A.
Post Office Drawer 3
Hilton Head Island, South Carolina 29938
(843)785-2171
Attorneys for Respondent Samuel H. Pruett, as Personal Representative for the Estate of Yvonne Carrie Pruett

February 27, 2014
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-in-Equity

Appellate Case No. 2013-001808

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Yvonne Carrie Pruett,.....Respondent,

v.

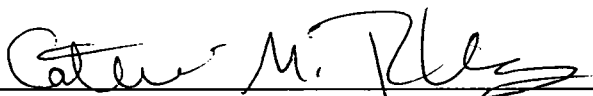
Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina
House of Hilton Head, and Sonia S. King,.....Defendants,

Of whom Brookdale Senior Living, Inc. and Southern Assisted Living, LLC, d/b/a
Carolina House of Hilton Head are theAppellants.

PROOF OF SERVICE

The undersigned certifies that a copy of the Appellants' Consent Motion for
60-Day Extension for Appellants to File Reply Brief and Return to Respondent's
Motion to Strike Portions of Appellants' Designation of Matter has been served upon
counsel of record by depositing a copy of same, first-class postage prepaid in the
United States Mail, on the 27th day of February, 2014, to the addresses shown below:

Susan Taylor Wall, Esquire
McNAIR LAW FIRM, P.A.
Post Office Box 1431
Charleston, SC 29402


Catherine M. Rhodes, Paralegal
Smyth Whitley, LLC



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

February 27, 2014

VIA UNITED STATES MAIL – EXPRESS OVERNIGHT DELIVERY

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

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FEB 28 2014

SC Court of Appeals

Re: *Samuel H. Pruett, as Personal Representative for the Estate of Yvonne Carrie Pruett v. Brookdale Senior Living, Inc., Southern Assisted Living, LLC, d/b/a Carolina House of Hilton Head and Sonia S. King*
C/A No. 2011-CP-07-1700
Appellate Case No.: 2013-001808

Dear Ms. Kitchings:

The undersigned counsel of record for Appellants is writing to inform the Court that the parties have agreed to settle all of the claims in the above-referenced matter. We are working to finalize the settlement documents and still need to have the settlement approved by the Circuit Court prior to filing a formal Agreed Dismissal of the appeal but wanted to make the Court aware of this development.

Additionally, enclosed for filing please find the original and seven copies of the Appellants' Consent Motion for 60-Day Extension for Appellants to File Reply Brief and Return to Respondent's Motion to Strike Portions of Appellants' Designation of Matter, and a Proof of Service in the above-referenced matter. Please return a clocked copy to me in the enclosed envelope. I have also enclosed a check in the amount \$25.00 for the filing fee.

Thank you for your time and assistance with this matter. Please do not hesitate to contact our office should you have any questions or concerns.

Sincerely,

Todd W. Smyth

TWS/cmr
Enc.

cc(w/enc.): Susan T. Wall, Esquire – *Via U.S. Mail*

Todd W. Smyth
234 Seven Farms Drive, BB&T Plaza, Suite 215, Charleston, SC 29492
main 843-606-5635 • fx. 843-654-4095 • tsmyth@smythwhitley.com
www.smythwhitley.com

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Jenny Abbott Kitchens, Clerk of Court
 SC Court of Appeals
 1015 Sumter St.
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