

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Roger L. Couch, Circuit Court Judge

71558

Appellate Case No. 2013-002499

Anderson County, Appellant,
v.
Joey Preston and The South Carolina Retirement Respondents.
System,

MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT
JOEY PRESTON'S INITIAL BRIEF AND TO INCREASE
PAGE LIMITS TO 60 - CONSENT GRANTED

Lane W. Davis
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Poinsett Plaza, Suite 900
P.O. Box 10084 (29603)
Greenville, SC 29601
(864) 250-2300

Attorneys for Respondent Joey Preston

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Counsel for the Respondent Joey Preston ("Preston") hereby moves for an extension of time in which to serve and file his Initial Brief in the present case.

Due to counsel's present case load, including a large number of briefing and trial commitments, as well as other client commitments, an extension of time is required to fully respond to the issues presented in this case.

I certify that this request is not intended to cause undue delay and is necessary to properly prepare and present the response to the issues in the case.

Joey Preston moves for an additional thirty days from the date of Appellant's Initial Brief in which to serve and file his Initial Brief in this case.

Preston hereby requests the right to expand the pages for his Initial Brief to 60 pages. This request is due to the number of issues involved in this appeal. Preston may not ultimately need all of these additional pages. Counsel for Appellant consent to this request.

Preston further moves that time be stayed pending a decision on this motion.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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Attorneys for Respondent Joey Preston

Greenville, South Carolina

March 10, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Roger L. Couch, Circuit Court Judge

Case No. 2013-002499

Anderson County, Appellant,
v.
Joey Preston and The South Carolina Retirement Respondents.
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PROOF OF SERVICE

I, the undersigned Attorney of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Respondent Joey Preston, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

Motion for Extension of Time to File Respondent Joey Preston's Initial Brief and to Increase Page Limits to 60 - Consent Granted

Counsel Served:

J. Theodore Gentry
Troy A. Tessier
Alice W.W. Parham
Wade S. Kolb II
WYCHE, PA
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David K. Avant
South Carolina Budget and Control Board,
South Carolina Retirement Systems
202 Arbor Lake Drive
Columbia, SC 29223

March 10, 2014

Lane W. Davis by Dowse B. Rustin
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March 10, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
PO Box 11629
Columbia, SC 29211

RE: Anderson County v. Joey Preston and the South Carolina Retirement System
Appellate Case No. 2013-002499
Our File No. 31268/01501

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of a Motion for an Extension of Time to File Respondent Joey Preston's Initial Brief and to Increase Page Limits to 60 – Consent Granted in the above-referenced matter. Also enclosed is our check for the filing fee.

Please return a file stamped copy in the self-addressed, stamped envelope provided.

Very truly yours,

Lane W. Davis by Denise B. R

Lane W. Davis

LWD:ap

Enclosures

cc: J. Theodore Gentry (w/enclosure)
Troy A. Tessier (w/enclosure)
Alice W.W. Parham (w/enclosure)
Wade S. Kolb II (w/enclosure)
David K. Avant (w/enclosure)

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