

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

Case No. 2013-CP-21-2722
Appellate Case No. 2013-002722

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APR 01 2014

SC Court of Appeals

Omega Construction, Inc.Respondent,

v.

Crailar, Inc., d/b/a Crailar Technologies, Inc., f/k/a
Naturally Advanced Technologies US, Inc.Appellant.

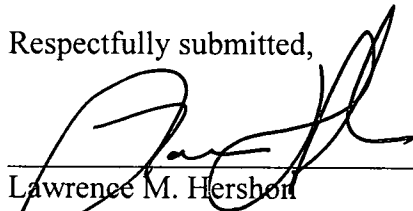
**APPELLANT'S RETURN IN OPPOSITION TO PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO FILE INITIAL BRIEF & DESIGNATION OF
MATTER**

NOW COMES Appellant Crailar, Inc. ("Crailar"), pursuant to 240(e), SCACR, and respectfully requests that the Motion of Respondent to extend the deadline for it to file an Initial Brief be denied.

Crailar served its Initial Brief on February 25, 2014. Giving Respondent thirty days, pursuant to the Rules, for Respondent to file its responsive Initial Brief, the deadline for filing its Initial Brief was March 27, 2014. See Rule 208(a)(2), SCACR. Respondent's Motion is dated March 28, 2014, and was served on March 28, 2014. Counsel for Respondent did not contact counsel for Crailar requesting consent to filing a

late request for an extension, the request for extension is untimely, and the request does not provide good cause for the requested extension. Therefore, Respondent should not be permitted to file a brief on appeal; in the alternative, any extended filing deadline for Respondent's Initial Brief should be no later than the date cited in Respondent's Motion of April 8, 2014.

Respectfully submitted,



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ATTORNEYS FOR APPELLANT

April 1, 2014
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
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Naturally Advanced Technologies US, Inc.Appellant.

PROOF OF SERVICE

The undersigned hereby certifies that on April 1, 2014, he served the foregoing **APPELLANT'S RETURN IN OPPOSITION TO PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF & DESIGNATION OF MATTER** on all counsel of record by placing a copy of it in the United States Mail, first class postage prepaid, addressed as follows:

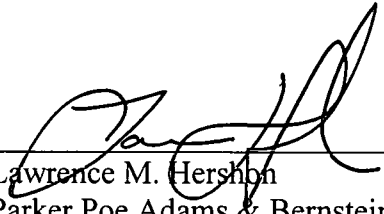
D. Alan Lazenby, Esq.
Ginger D. Goforth, Esq.
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Post Office Box 6099
Spartanburg, SC 29304

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[SIGNATURE BLOCK APPEARS ON FOLLOWING PAGE.]



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April 1, 2014
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Charleston, SC
Charlotte, NC
Columbia, SC
Raleigh, NC
Spartanburg, SC

April 1, 2014

Via Hand Delivery

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29211

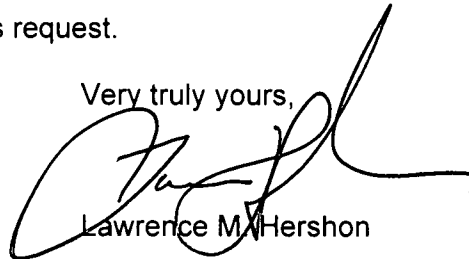
Re: *Omega Construction, Inc. v. Crailar, Inc., d/b/a Crailar Technologies, Inc. f/k/a Naturally Advanced Technologies US, Inc. C.A. No. 2013-CP-21-2722 Appellate Case No. 2013-002722*

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven copies of Appellant's Return in Opposition to Plaintiff's Motion for Extension of Time to File Initial Brief & Designation of Matter and Proof of Service. Please file the originals and return file-stamped copies to my courier.

Thank you for your attention to this request.

Very truly yours,



Lawrence M. Hershon

LMH:dmc
Enclosure

cc: D. Alan Lazenby, Esq. (w/enc.) – *via U.S. Mail*
Ginger D. Goforth, Esq. (w/enc.) – *via U.S. Mail*

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