

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

M1802

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. THOMAS COOPER., Circuit Court Judge

RECEIVED

APR 04 2014

Case No. 2012-CP-40-7752

SC Court of Appeals

DRV Fontaine Group, LLC,

Respondent,

v.

Appellants.

Fontaine Business Park, LLC,
Fontaine Business Park 2, LLC
Fontaine Business Park 3, LLC
Fontaine Business Park 4, LLC
Fontaine Business Park 5, LLC
Fontaine Business Park 6, LLC
Fontaine Business Park 7, LLC
Fontaine Business Park 8, LLC
Fontaine Business Park 9, LLC
Fontaine Business Park 10, LLC
Fontaine Business Park 11, LLC
Fontaine Business Park 12, LLC
Fontaine Business Park 13, LLC
Fontaine Business Park 14, LLC
Fontaine Business Park 15, LLC
Fontaine Business Park 16, LLC
Fontaine Business Park 17, LLC
Fontaine Business Park 18, LLC
Fontaine Business Park 19, LLC
Fontaine Business Park 20, LLC
Fontaine Business Park 21, LLC
Fontaine Business Park 22, LLC
Fontaine Business Park 23, LLC
Fontaine Business Park 24, LLC
Fontaine Business Park 25, LLC
Fontaine Business Park 26, LLC
Fontaine Business Park 27, LLC

Fontaine Business Park 28, LLC
Fontaine Business Park 29, LLC
Fontaine Business Park 30, LLC
Fontaine Business Park 31, LLC

MOTION TO REQUEST TRANSCRIPT OUT OF TIME

Appellants make this motion to allow the request of the transcript of the proceedings below out of time. Upon service of the Notice of Appeal, on February 27, 2014, Appellants were unsure if the hearing transcript was necessary for the appeal as it was believed that all of the issues were contained in the briefs. However, upon further reflection, it was decided that the transcript was necessary as at least one argument may have been made at the hearing that was not contained in the briefs. Therefore, the request for the transcript was mailed on March 18, 2014, 9 days past the 10 day deadline prescribed in the rules. This was not intended for unnecessary delay or to prejudice any party. No party will be prejudiced and the interests of justice will be served by allowing the transcript to be requested out of time. In the event that this Court does not grant this motion, Appellants request an extension of 30 days from the date of such denial to draft, serve and file the initial briefs.

This 3rd day of April, 2014.



Tucker S. Player
PLAYER LAW FIRM, LLC
1415 Broad River Road
Columbia, South Carolina 29210
Ph:803-772-8008(ext. 101)
Fx: 803-772-8037
Tucker@playerlawfirm.com

Attorney for Fontaine Business

Park 2 through 31, LLC

Brent Young
Mark Fulk
BAKER DONELSON BEARMAN,
CALDWELL & BERKOWITZ, PC
100 Med Tech Parkway, Suite 200
PO Box 3038
Johnson City, Tennessee 37602
Ph: 423.928.0181
Fx: 423.979.7654
byoung@bakerdonelson.com

*Attorneys for Fontaine Business
Park, LLC*

Other Counsel of Record:
PAUL HARRILL
MCNAIR LAW FIRM
1221 MAIN STREET, SUITE 1800
COLUMBIA, SC 29201
POST OFFICE BOX 11390
COLUMBIA, SC 29211

PAUL HARRILL
MCNAIR LAW FIRM
1221 MAIN STREET, SUITE 1800
COLUMBIA, SC 29201

POST OFFICE BOX 11390
COLUMBIA, SC 29211



PLAYER
PLAYER LAW FIRM, LLC

From the desk of
Tucker S. Player
Attorney at Law

Licensed in Georgia & South Carolina

March 18, 2014

Keshia T. Reed
PO Box 12190
Florence, SC 29504-2190

RE: DRV v. Fontaine Business Park, et al
Case No.: 2012-CP-40-7752
Our File No.: CIV-573-01

Dear Ms. Reed:

Please accept this correspondence as my request for a transcript of the hearing that occurred in the above referenced case on January 13, 2014 before G. Thomas Cooper in Richland County. The hearing was on Plaintiff DRV's motion to Strike a Jury Demand. I will forward payment for the cost of transcribing this motion hearing once you submit an invoice. If you need anything further from me in terms of arranging for payment please contact me immediately. If you have any questions or need anything further from me please feel free to contact me as well. Thank you for your assistance with this matter. With warm regards, I am

Sincerely,

Tucker S. Player

Cc: SC Court of Appeals
Court Administration

Columbia Office:
1415 Broad River Road
Columbia, South Carolina 29210

Mailing Address:
Post Office Box 21005
Columbia, South Carolina 29221

P 803.772.8008
F 803.772.8037
E Tucker@PlayerLawFirm.com

HONESTY. COMMITMENT AND PERSONAL SERVICE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

G. THOMAS COOPER., Circuit Court Judge

Case No. 2012-CP-40-7752

DRV Fontaine Group, LLC,

Respondent,

v.

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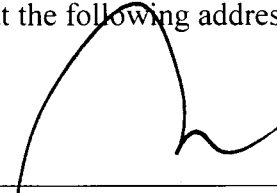
Appellants.

Fontaine Business Park 28, LLC
Fontaine Business Park 29, LLC
Fontaine Business Park 30, LLC
Fontaine Business Park 31, LLC

PROOF OF SERVICE

Comes now, Tucker S. Player, and certifies that a copy of the Appellants' Motion to Request the Transcript out of Time and the Correspondence Requesting the Transcript from Keisha Reid dated March 18, 2014, was served on the opposing party, on April 3, 2014, by placing the same in the U.S. Mail, with sufficient postage affixed, to Respondent's Counsel of Record, Paul Harrill, at the following address: Post Office Box 11390, Columbia, SC 29211.

This 3rd day of April, 2014.



Tucker S. Player
PLAYER LAW FIRM, LLC
1415 Broad River Road
Columbia, South Carolina 29210
Ph: 803-772-8008(ext. 101)
Fx: 803-772-8037
Tucker@playerlawfirm.com

*Attorney for Fontaine Business
Park 2 through 31, LLC*

Brent Young
Mark Fulk
BAKER DONELSON BEARMAN,
CALDWELL & BERKOWITZ, PC
100 Med Tech Parkway, Suite 200
PO Box 3038
Johnson City, Tennessee 37602
Ph: [423.928.0181](tel:423.928.0181)
Fx: [423.979.7654](tel:423.979.7654)
byoung@bakerdonelson.com

*Attorneys for Fontaine Business
Park, LLC*

Other Counsel of Record:



PLAYER
PLAYER LAW FIRM, LLC

April 3, 2014

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APR 04 2014

SC Court of Appeals

South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

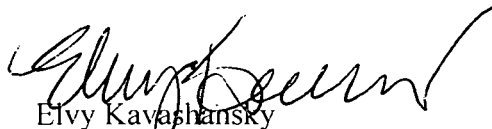
RE: DRV Fontaine Group, LLC v. The Fontaine Business Park, LLC, et al.
Case No.: 2012-CP-40-7752
Our File No.: CIV-573-01

To whom it may concern:

Please find enclosed an original and one copy of the Motion to Request Transcript Out of Time to be filed in the above referenced matter. I have also enclosed our firm's check in the amount of \$25.00 for the filing fee. Please return a clocked copy to me in the envelope I have enclosed. If you need anything further or have any questions please contact me at the number listed below. Thank you for your assistance with this matter.

By copy of this letter I am serving opposing counsel with a copy of the same.

Kind regards,


Elvy Kavashansky
Legal Secretary

Enclosure(s) as stated

Cc: Paul Harrill, Esq. (w/enclosure)
Brent Young, Esq. (w/enclosure)

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1415 Broad River Road
Columbia, South Carolina 29210

Mailing Address:
Post Office Box 21005
Columbia, South Carolina 29221

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F 803.772.8037