

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM Horry COUNTY
Court of Common Pleas

Honorable Steven H. John, Circuit Court Judge

Civil Action No.: 2011-CP-26-2722

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SC Court of Appeals

Nichols Holding, LLC and J. Wade NicholsRespondents-Appellants

vs.

Divine Capital Group, LLC, John S. Divine, IV,
Nathan Anderson and Divine Dining Group, Inc.Appellants-Respondents

APPELLANTS-RESPONDENTS DIVINE CAPITAL GROUP, LLC,
JOHN S. DIVINE, IV, NATHAN ANDERSON AND DIVINE DINING
GROUP, INC.'S MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF AND DESIGNATION OF MATTER

Appellant-Respondents Divine Capital Groups, LLC, John S. Divine, IV, Nathan Anderson and Divine Dining Group, Inc. (“Appellant-Respondents”), hereby respectfully move the Court, pursuant to Rule 240(a), SCACR, for a thirty (30) day extension of time to file the Initial Brief and Designation of Matter to be included in the Record on Appeal which is due April 25, 2014.

This Motion and extension request is based on the work schedules and commitments of counsel for Appellants-Respondents. Appellants-Respondents

respectfully contend that good cause exists for an extension of time to file its Initial Brief and Designation of Matter.

Wherefore, Appellants-Respondents contend that this appeal and the interest of justice will be served by granting said Appellants-Respondents an extension of time, Appellants-Respondents therefore respectfully pray the Court for an order granting the Appellants-Respondents an extension of thirty (30) days to file its Initial Brief and Designation of Matter to be included in the Record on Appeal.

Accordingly, Appellants-Respondents request the Court to enter an Order enlarging the time up to and including, May 28, 2014, for the Appellants-Respondents to submit the Initial Brief and Designation of Matter to be included in the Record on Appeal. Appellants-Respondents counsel have consulted with Respondents-Appellants' counsel, Gene Connell, Esquire, and Mr. Connell has consented to this request.

April 21, 2014

Respectfully submitted,



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Thomas & Brittain, P.A.
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Civil Action No.: 2011-CP-26-2722

Nichols Holding, LLC and J. Wade NicholsRespondents

vs.

Divine Capital Group, LLC, John S. Divine, IV,
Nathan Anderson and Divine Dining Group, Inc.Appellants

PROOF OF SERVICE

I certify that I have served the Appellants-Respondents Divine Capital Group, LLC, John S. Divine, IV, Nathan Anderson and Divine Dining group, Inc.'s Motion for Extension of Time to File Initial Brief and Designation of Matter by depositing a copy of it in the United States mail, postage prepaid, on April 21, 2014, addressed to the following attorneys of record:

Julio E. Mendoza, Jr., Esquire
Nexsen Pruet, LLC
Post Office Drawer 2426
Columbia, South Carolina 29202

Gene M. Connell, Jr., Esquire
Kelaher, Connell & Connor, P.C.
Post Office Drawer 14547
Surfside Beach, South Carolina, 29587

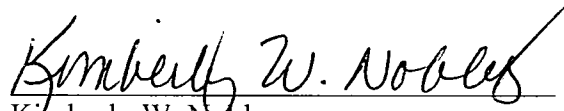
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SC Court of Appeals

Frederick Miles Adler, Esquire
Post Office Box 4743
Pawleys Island, South Carolina 29585

April 21, 2014

Handwritten signature of Kimberly W. Nobles in black ink, written over a horizontal line.

Kimberly W. Nobles
Assistant to Emma Ruth Brittain, Esquire
Thomas & Brittain, P.A.
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*CERTIFIED EMPLOYMENT
& LABOR LAW SPECIALIST

April 21, 2014

Via U.S. Mail and Fax Transmission

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Nichols Holding, LLC and J. Wade Nichols v. Divine Capital Group, LLC, John S. Divine, IV; Nathan Anderson; and Divine Dining Group, Inc.
Appellate Case No.: 2014-000662
Civil Action No.: 2011-CP-26-2722

Dear Ms. Kitchings:

Our firm, along with Julio E. Mendoza, Jr., Esquire, represent the Appellants-Respondents Divine Capital Group, LLC, John S. Divine, IV, Nathan Anderson and Divine Dining Group in the above-referenced matter. Please find enclosed for filing the original and seven (7) copies of the Appellants-Respondents Motion for Extension of Time to File Initial Brief and Designation of Matter in this case. Also enclosed is our filing fee in the amount of \$25.00.

Sincerely yours,

THOMAS & BRITTAIN, P.A.



Emma Ruth Brittain

ERB/kwn

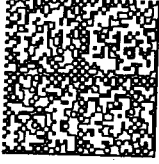
Enclosures

cc: Julio E. Mendoza, Jr., Esquire
Gene M. Connell, Jr., Esquire
F. Miles Adler, Esquire

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Clerk of Court, South Carolina Court of Appeals
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