

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

72041

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Larry B. Hyman, Circuit Court Judge

Case No. 2013-002133

Stephanie A. Smith, on behalf of herself and all others similarly situated.....Appellant

v.

Progressive Halcyon Insurance Company, n/k/a Progressive Direct Insurance Co., Progressive Max, and Progressive Casualty Insurance.....Respondents

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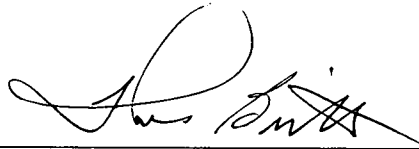
NOTICE OF MOTION AND MOTION FOR EXTENSION  
OF TIME TO FILE INITIAL BRIEF OF RESPONDENT

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Respondent Progressive Halcyon Insurance Company, n/k/a Progressive Direct Insurance Co., Progressive Max, and Progressive Casualty Insurance moves before this Honorable Court for an extension of thirty (30) days to file their Initial Brief. Due to their current case load and trial schedule along with upcoming matters scheduled out-of-state, counsel for the Respondent do not believe they will have sufficient time to complete the Initial Brief by the current due date of May 7, 2014.

Therefore, Respondent respectfully requests a thirty (30) day extension until June 6, 2014 to file their Initial Brief in this matter.

**RECEIVED**  
APR 28 2014  
SC Court of Appeals



Thomas C. Brittain, Esquire (SC No. 00893)  
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*Of Counsel:*

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April 25, 2014

Attorneys for the Respondent

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM HORRY COUNTY  
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Larry B. Hyman, Circuit Court Judge

Case No. 2013-002133

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PROOF OF SERVICE

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I certify that I have served the Notice of Motion and Motion for Extension of Time to File the Initial Brief of Respondent Progressive Halcyon Insurance Company, n/k/a Progressive Direct Insurance Co., Progressive Max, and Progressive Casualty Insurance on Appellant Stephanie A. Smith by depositing a copy of same in the United States Mail, postage prepaid, on April 25, 2014, addressed to Appellant's attorneys of record, Nate Fata, Esq., Nate Fata, P.A., P.O. Box 16620, Surfside Beach, SC 29587 and Charles V. Leonard, Esq., Harris & Leonard, P.A., 4615 Oleander Drive, Suite 202, Myrtle Beach, SC 29577.



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April 25, 2014

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April 25, 2014

Via Federal Express

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

RE: Stephanie A. Smith, on behalf of herself and all others similarly situated v.  
Progressive Halcyon Insurance Company, et al  
Appellate Case No. 2013-002133

Dear Ms. Kitchings:

Enclosed herewith for filing please find an original and six copies of a Respondent's Notice of Motion and Motion for Extension of Time to File its Initial Brief along with Proof of Service of same. Also enclosed please find a check in the amount of \$25.00 for the filing fee.

With warm regards, I am  
Yours truly,

THE BRITTAIN LAW FIRM, P.A.



Thomas C. Brittain  
TCB/all

cc: Nate Fata, Esq.  
Charles V. Leonard  
Zachary McEntyre, Esq.  
Jeffrey Cashden, Esq.

**RECEIVED**  
APR 30 2014  
**SC Court of Appeals**