

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

7 2240

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Steven H. John, Circuit Court Judge

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MAY 20 2014

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

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

JOINT MOTION FOR EXTENSION OF TIME TO FILE
INITIAL BRIEF AND DESIGNATION OF MATTER
BY THE RESPONDENTS-APPELLANTS NICHOLS HOLDING, LLC,
AND J. WADE NICHOLS AND THE
APPELLANTS-RESPONDENTS DIVINE CAPITAL GROUP, LLC,
JOHN S. DIVINE, IV, NATHAN ANDERSON AND DIVINE
DINING GROUP, INC.

Counsel for both Respondents-Appellants Nichols Holding, LLC, and J. Wade Nichols, and Appellants-Respondents Divine Capital Groups, LLC, John S. Divine, IV, Nathan Anderson and Divine Dining Group, Inc. (“the parties”), hereby respectfully and jointly move before the Court, pursuant to Rule 240(a), SCACR, for a thirty (30) day extension of time for each to file Initial Briefs and Designations of Matter to be included in the Record on Appeal which are currently due May 27, 2014.

This Motion and the extension request are based on the work schedules, caseload and other commitments of counsel for the parties. Counsel for the parties respectfully contend that good cause exists for an extension of time to file the Initial Briefs and Designations of Matter.

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

Accordingly, the Respondents-Appellants and the Appellants-Respondents respectfully request the Court to enter an Order enlarging the time up to and including, June 30, 2014, for both the Respondents-Appellants and the Appellants-Respondents to submit the Initial Briefs and Designations of Matter to be included in the Record on Appeal.

May 16, 2014

WE SO MOVE AND CONSENT:


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WE SO MOVE AND CONSENT:

Gene M. Connell, Jr. / signed by
Gene M. Connell, Jr., Esquire *Emma Ruth Bittler*
Kelaher, Connell & Connor, P.C. *with the consent*
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Nichols Holding, LLC and J. Wade NicholsRespondents

vs.

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PROOF OF SERVICE

I certify that I have served the Joint Motion for Extension of time to File Initial Brief and Designation of Matter by the Respondents-Appellants Nichols Holding, LLC and J. Wade Nichols and the Appellants-Respondents Divine Capital Group, LLC, John S. Divine, IV, Nathan Anderson and Divine Dining Group, Inc., by depositing a copy of it in the United States mail, postage prepaid, on May 16, 2014, addressed to the following attorneys of record:

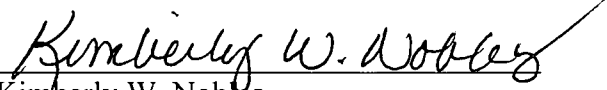
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& LABOR LAW SPECIALIST

May 16, 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:

Please find enclosed for filing the original and seven (7) copies of the Joint Motion for Extension of Time to File Initial Brief and Designation of Matter by the Respondents-Appellants Nichols Holding, LLC and J. Wade Nichols and the Appellants-Respondents Divine Capital Group, LLC, John S. Divine, IV, Nathan Anderson and Divine Dining Group, Inc., in the above-referenced matter. This is a joint motion filed on behalf of both Respondents-Appellants and the Appellants-Respondents. Also enclosed is our filing fee in the amount of \$25.00. Please return a filed copy to our office in the enclosed self-addressed stamped envelope.

Sincerely yours,

THOMAS & BRITTAIN, P.A.



Emma Ruth Brittain

ERB/kwn

Enclosures

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

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