

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

James O. Spence, Master-in-Equity

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Common Pleas Case No. 2009-CP-32-506  
Appellate Case No. 2014-001686

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**RECEIVED**

AUG 27 2014

**SC Court of Appeals**

Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP  
FKA Countrywide Home Loans Servicing, LP,.....Respondent,

v.

Elisabeth Orvin and Randy J. Elrod, Defendants,

Of whom Elisabeth Orvin is the.....Appellant.

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MOTION FOR EXTENSION OF TIME TO SERVE AND FILE  
APPELLANT'S INITIAL BRIEF AND  
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

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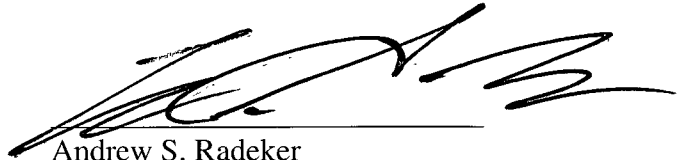
Andrew S. Radeker  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

Appellant hereby moves pursuant to Rule 263(b), SCACR, for a 30-day extension of the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. The deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal is currently August 28, 2014.
2. This is the first extension that Appellant has sought in this appeal.
3. Respondent's counsel has consented to this extension, as shown by the attached email message. Counsel for Appellant and Respondent hope to use the extended time sought to work toward a settlement of this case without incurring the attorneys' fees associated with briefing this case.
4. Further, since Appellant's counsel had a copy of the transcripts at the time this appeal began, this appeal is already further along than it would ordinarily be.
5. Appellant's counsel believes there is good cause to grant the requested 30-day extension to September 29, 2014 (as September 27 is a Saturday).

WHEREFORE Appellant prays for an Order extending the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal for an additional thirty days.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. S. Radeker', is written over a horizontal line.

Andrew S. Radeker  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

August 27, 2014

**Drew Radeker**

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**From:** McPherson, T. Richmond III <rmcpherson@mcguirewoods.com>  
**Sent:** Wednesday, August 27, 2014 10:17 AM  
**To:** Drew Radeker  
**Subject:** RE: Bank of America v. Elrod

Drew,

Bank of America consents to the thirty day extension you have requested.

I will take your settlement offer to my client [REDACTED]  
[REDACTED] to implement the [REDACTED] modification on the terms we previously discuss

We will be in touch.

Rich

(Redacted settlement negotiations)

T. Richmond McPherson, III  
McGuireWoods LLP  
Fifth Third Center  
201 North Tryon Street  
Charlotte, NC 28202  
704.343.2363 (Direct Line)  
704.805.5082 (Direct Fax)  
[rmcpherson@mcguirewoods.com](mailto:rmcpherson@mcguirewoods.com)  
<http://www.mcguirewoods.com>

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**From:** Drew Radeker [<mailto:Drew@harrisonfirm.com>]  
**Sent:** Tuesday, August 26, 2014 9:25 AM  
**To:** McPherson, T. Richmond III  
**Subject:** Bank of America v. Elrod

Rich:

Our initial brief and designation of matter is due this Thursday. Would you mind consenting to a 30-day extension of that deadline?

Thanks.

Drew Radeker

**HARRISON & RADEKER, P.A.**

ATTORNEYS AT LAW

*Real Estate / Property Disputes · Foreclosure · Media Law · Zoning · Criminal Defense · Appeals  
Personal Injury · Consumer Law · Mediation/ Arbitration · False Arrest · Commercial Litigation*

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*This e-mail message contains confidential, privileged information intended solely for the addressee. Please do not read, copy or disseminate it unless you are the addressee. If you have received it in error, please call us (collect) at (803) 779-2211 and ask to speak with the message sender. Also, we would appreciate your forwarding the message back to us and deleting it from your system. Any tax information or written tax advice contained herein (including any attachments) is not*

THE STATE OF SOUTH CAROLINA  
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Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP  
FKA Countrywide Home Loans Servicing, LP,.....Respondent,

v.

Elisabeth Orvin and Randy J. Elrod, Defendants,

Of whom Elisabeth Orvin is the.....Appellant.

PROOF OF SERVICE

I certify that I served the foregoing motion for extension of time by depositing  
a copy of it on the date shown below in the United States Mail, postage prepaid,  
addressed as follows:

T. Richmond McPherson III, Esq.  
McGuire Woods LLP  
201 N. Tryon St., Suite 3000  
Charlotte, NC 28202

August 27, 2014



Andrew S. Radeker  
Harrison & Radeker, P.A.  
Post Office Box 50143  
Columbia, South Carolina 29250  
(803) 779-2211  
Attorney for Appellant

LAW OFFICES  
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James C. Harrison, Jr.\*  
Andrew S. Radeker  
Taylor M. Smith IV

\* Mediator/Arbitrator

P.O. Box 50143  
Columbia, SC 29250

(803) 779-2211  
(803) 779-6700 (FAX)

August 4, 2014

**VIA HAND DELIVERY**

The Hon. Jenny Abbott Kitchings  
Clerk of Court, Court of Appeals of South Carolina  
Edgar Brown Building  
1205 Pendleton Street  
Columbia, South Carolina 29201

**RECEIVED**

AUG 27 2014

**SC Court of Appeals**

**Re: Bank of America, etc. v. Elisabeth Orvin, et al.**  
**Appellate Case No. 2014-001686**

Dear Ms. Kitchings:

Enclosed herewith for filing are an original and seven (7) copies of the Appellant's Motion for Extension of Time in the above-referenced case, along with Proof of Service of the same. Kindly file the same and return a clocked copy thereof to this office in the stamped and addressed envelope enclosed.

Kindly file these documents and return a file-stamped copy thereof to the bearer of this letter. The motion fee of \$25.00 accompanies this letter. Thank you for your attention to this matter. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,  
**HARRISON & RADEKER, P.A.**



Andrew S. Radeker

ASR/

Enclosures

cc: T. Richmond McPherson III, Esq.