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**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Charles B. Simmons, Jr., Master in Equity

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Case No. 2013-CP-23-03075

Appellate Case No. 2014-001775

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Sherman Financial Group, LLC .....Petitioner,

v.

FM FRI Greenville, LLC ..... Respondent.

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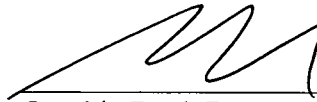
RESPONDENT’S MOTION FOR AN EXTENSION OF TIME TO FILE AND  
SERVE RESPONDENT’S RETURN TO PETITION FOR WRIT OF CERTIORARI

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Pursuant to Rule 240, SCACR, Respondent FM FRI Greenville, LLC (“Respondent”) hereby moves the Court for an extension of time to file and serve the Respondent’s Return to Petition for Writ of Certiorari (the “Return”), which is currently due on or before September 15, 2014. Respondent and Petitioner have settled the matter in principle, and counsel are in the process of preparing a certain settlement agreement and/or mutual release related to this matter. Respondent respectfully requests the Court extend the deadline for receipt of the Return for an additional thirty (30) days, to October 15, 2014, so that Respondent and Petitioner may have sufficient time to prepare such documents, consummate the settlement,

and dismiss the case. As reflected in Exhibit "A" attached hereto, counsel for Petitioner consents to this extension of time.

September 4, 2014.



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Cynthia Buck Brown, SCB No. 66172  
Calvin T. Vick, Jr., SCB No. 68187  
R. Patrick Smith, SCB No. 68270  
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FM FRI Greenville, LLC

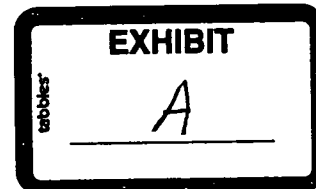
Other Counsel of Record:  
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Attorneys for Petitioner

## Patrick Smith

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**From:** William Swent <William.Swent@smithmoorelaw.com>  
**Sent:** Thursday, September 04, 2014 10:27 AM  
**To:** Patrick Smith; Steve Farrar  
**Cc:** Cynthia Brown  
**Subject:** RE: Sherman Financial Group, LLC v FM FRI Greenville, LLC



We consent

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**From:** Patrick Smith [mailto:[psmith@hlblegal.com](mailto:psmith@hlblegal.com)]  
**Sent:** Thursday, September 04, 2014 10:07 AM  
**To:** William Swent; Steve Farrar  
**Cc:** Cynthia Brown  
**Subject:** Sherman Financial Group, LLC v FM FRI Greenville, LLC

William and Steve, in light of the parties' agreement to settle the above matter and the approaching deadline to file our Return, we plan to file the attached Motion for Extension with the Supreme Court. Please let me know by way of a reply to this email if you can consent to same. Should you have any questions, do not hesitate to contact me. Thanks.

R. Patrick Smith  
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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Charles B. Simmons, Jr., Master in Equity

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Case No. 2013-CP-23-03075

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v.

FM FRI Greenville, LLC ..... Respondent.

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PROOF OF SERVICE

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This is to certify that *Respondent FM FRI Greenville's Motion for an Extension of Time to File and Serve Respondent's Return to Petition for Writ of Certiorari* with Exhibit A were served in the above-referenced case by placing copies of said documents in the United States Mail on this the 4<sup>th</sup> day of September, 2014, addressed as follows:

Steven E. Farrar, Esq.  
William B. Swent, Esq.  
Jason D. Maertens, Esq.  
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