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SEP 15 2014

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

Case No. 2011-CP-46-1090

Brian and Deborah C. Pulliam, Monica Bradshaw, Helen K. Cook, Kala Craig, Victor E. Dirienzo, Cynthia Ditursi, J. Scott Drexel, Kathleen Kramer, Robert Loebe, Melanie McDaniel, Don and Debbie Neff, David Osborne, Celeste Arrowood, Vincent Dionna, Mikel Marcuse, James P. Wheaton, Jr., Joseph Manfredini, Elena Manfredini, David Cox, Jonathan B. Dillard, and Eric Wilson, and Marianna Junda, .....Respondents,

v.

Travelers Indemnity Company, M.U.I. Carolina Corporation, Kensington Place Owners' Association, Inc., and Regent Carolina Corporation, and Regent Corporation, ....Defendants.

Of whom Travelers Indemnity Company is the .....Appellant.

**RESPONDENTS' MOTION FOR  
FILING OUT OF TIME**

W. Jefferson Leath, Jr., Esq.  
S.C. Bar No.: 003244  
Michael S. Seekings, Esq.  
S.C. Bar No.: 64850  
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*Attorneys for the Respondents*

Due to unexpected circumstances including, but not limited to, preparation for trial in another county and mediation in two matters, Respondents have been unable to complete their filing for Motion for Costs and Itemized Statement for Costs until today.

Obviously, this late filing will not prejudice defendants.

Respondents hereby move for leave to file their Motion for Costs and Itemized Statement of Costs out of time.

Respectfully submitted,

LEATH, BOUCH & SEEKINGS, LLP

By: Jefferson Leath  
W. Jefferson Leath, Jr., Esq.  
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*Attorneys for the Respondents*

Charleston, South Carolina  
September 11, 2014

OTHER COUNSEL OF RECORD:

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(803) 799-9091  
*Attorneys for Appellants*

THE STATE OF SOUTH CAROLINA  
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v.

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Of whom Travelers Indemnity Company is the . . . . . Appellant.

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**PROOF OF SERVICE**

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**SC Court of Appeals**

I, W. Jefferson Leath, Jr., do hereby certify that on September 11, 2014 I served opposing counsel with a copy of Respondents' Motion for Filing Out of Time via regular first class United States mail, postage prepaid, addressed as follows:

William P. Davis, Esq.  
Susan Drake Debose, Esq.  
Jenny A. Draffin, Esq.  
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\_\_\_\_\_  
W. Jefferson Leath, Jr.

Charleston, South Carolina

September 11, 2014



**LEATH, BOUCH & SEEKINGS, LLP**  
COMMERCIAL LITIGATION • CONSTRUCTION • ENVIRONMENTAL

September 11, 2013

The Honorable V. Claire Allen  
Clerk of Court  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211-11629

RE: Brian and Deborah C. Pulliam, et al v. Travelers Indemnity Company, et al  
Opinion No. 5130 (S.C. Ct. App. Filed May 8, 2013)  
LBS File No. 1408.1

Dear Ms. Allen:

Please find enclosed for filing the original and seven (7) copies of Respondents' Motion for Filing Out of Time, Respondent's Motion for an Assessment of Costs and the Itemized Statement of Costs in the above referenced matter. Please return a filed copy of each pleading in the enclosed envelope. By copy of this letter I am serving a copy of each pleading upon counsel. I have also enclosed our firm's checks (2) in the amount of Twenty-Five (25) Dollars each for the filing fees.

Thank you and with best regards, I am

Yours very truly,

LEATH, BOUCH & SEEKINGS, LLP

  
Cheryl Steadman  
Paralegal to W. Jefferson Leath, Jr.

/cas  
Enclosures  
c: William P. Davis, Esq.  
Susan Drake DuBose, Esq.

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