

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
In The Court of Common Pleas
G. Thomas Cooper, Jr., Circuit Court Judge

173409

Case No. 2012-CP-40-7752
Appellate Case No. 2014-000377

DRV Fontaine, LLC,.....Respondent,

v.

Fontaine Business Park, LLC, Fontaine Business Park 2, LLC,
Fontaine Business Park 3, LLC, Fontaine Business Park 4, LLC,
Fontaine Business Park 5, LLC, Fontaine Business Park 6, LLC,
Fontaine Business Park 7, LLC, Fontaine Business Park 8, LLC,
Fontaine Business Park 9, LLC, Fontaine Business Park 10, LLC,
Fontaine Business Park 11, LLC, Fontaine Business Park 12, LLC,
Fontaine Business Park 13, LLC, Fontaine Business Park 14, LLC,
Fontaine Business Park 15, LLC, Fontaine Business Park 16, LLC,
Fontaine Business Park 17, LLC, Fontaine Business Park 18, LLC,
Fontaine Business Park 19, LLC, Fontaine Business Park 20, LLC,
Fontaine Business Park 21, LLC, Fontaine Business Park 22, LLC,
Fontaine Business Park 23, LLC, Fontaine Business Park 24, LLC,
Fontaine Business Park 25, LLC, Fontaine Business Park 26, LLC,
Fontaine Business Park 27, LLC, Fontaine Business Park 28, LLC,
Fontaine Business Park 29, LLC, Fontaine Business Park 30, LLC,
Fontaine Business Park 31, LLC, Appellants.

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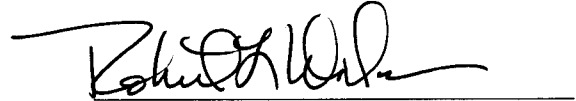
SC Court of Appeals

MOTION TO HOLD APPELLATE TIMELINES IN ABEYANCE

The Respondent (DRV) recently moved to dismiss the above-captioned appeal. Pursuant to Rule 240(b), SCACR, this ordinarily stays the time limits for perfecting an appeal. In an abundance of caution, DRV moves to hold the timeline for its Initial Brief of Respondent (which is due September 2, 2014) in abeyance pending this Court’s decision on the motion to dismiss. If

this Court denies the motion to dismiss, DRV moves that its Initial Brief of Respondent be ordered to be served and filed within thirty (30) days after the order denying the motion to dismiss.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert L. Widener", is written over a horizontal line.

Robert L. Widener
Paul D. Harrill
McNair Law Firm. P.A.
Post Office Box 11390
Columbia, South Carolina
Attorneys for Respondent

September 2, 2014
Columbia, SC

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Fontaine Business Park 9, LLC; Fontaine Business Park 10, LLC;
Fontaine Business Park 11, LLC; Fontaine Business Park 12, LLC;
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Fontaine Business Park 17, LLC; Fontaine Business Park 18, LLC;
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Fontaine Business Park 21, LLC; Fontaine Business Park 22, LLC;
Fontaine Business Park 23, LLC; Fontaine Business Park 24, LLC;
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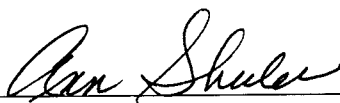
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CERTIFICATE OF SERVICE

I, Ann Shuler, an employee of McNair Law Firm, certify that I served the Respondent's Motion to Hold Timelines in Abeyance, by placing a true and correct copy in the U.S. Mail, sufficient postage pre-paid to counsel at the addresses shown below, on September 2, 2014:

Tucker S. Player, Esquire
PLAYER LAW FIRM, LLC
1415 Broad River Road
Columbia, SC 29210

Brent B. Young, Esquire
BAKER DONELSON BEARMAN
CALDWELL & BERKOWITZ, PC
Post Office Box 3038
Johnson City, TN 37602



Ann Shuler

MCNAIR
ATTORNEYS

September 2, 2014

Robert L. Widener
SC Bar No. 6089

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T 803.799.9800
F 803.753.3278

Honorable Jenny Abbott Kitchings
Clerk of Court
S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: DRV Fontaine, LLC -v- Fontaine Business Park, LLC, et al.
Appellate Case No. 2014-000377

Dear Ms. Kitchings:

Enclosed for filing in the above cited case, please find the original and seven copies of the Respondent's Motion to Hold Timelines in Abeyance. Also enclosed are the original and one copy of the Certificate of Service and our check in the amount of \$25.00. Please file the motion and return the file stamped extra copy to me in the return envelope provided.

Respectfully yours,

McNAIR LAW FIRM, P.A.



Robert L. Widener

RLW/as
Enclosures

cc: Brent B. Young, Esq.
Tucker S. Player, Esq.

McNAIR LAW FIRM, P.A.
1221 Main Street
Suite 1800
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SEP 03 2014

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SC Court of Appeals