

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**

SEP 26 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 September 29, 2014.
2. This deadline has only been extended one other time.
3. Respondent's counsel has consented to this extension, as shown by the attached email message. Counsel for Appellant and Respondent will use the extended time sought to work toward a settlement of this case without incurring the attorneys' fees associated with briefing this case. We have set a mediation for October 15, 2014 with the hope of settling this case in its entirety at or before the mediation; part of this case has been settled already.
4. The requested extension will allow for the mediation of this case to occur before the Appellant incurs the attorney's fees associated with drafting the initial brief in this appeal. A settlement at or before mediation would obviate the need for either party to incur the expenses associated with briefing this appeal.
5. 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. Accordingly, granting this extension will not unduly delay this appeal.

6. Appellant's counsel believes there is good cause to grant the requested 30-day extension to October 29, 2014.

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,



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

September 25, 2014

**Drew Radeker**

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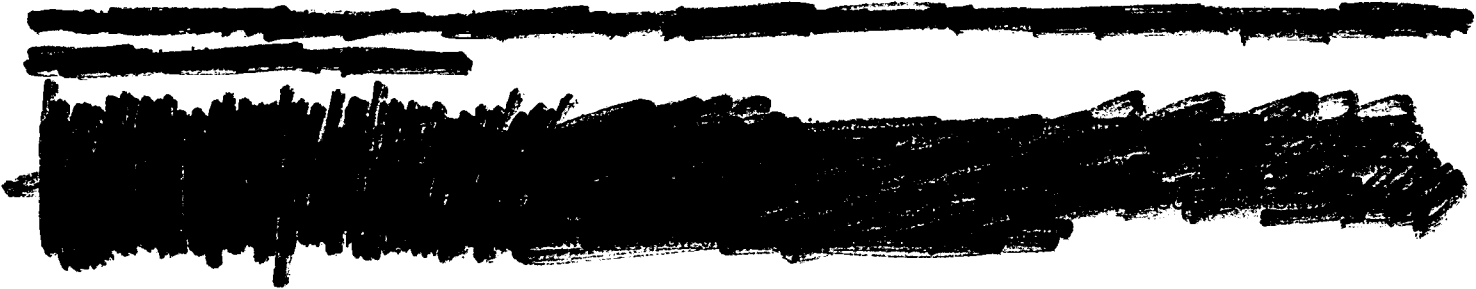
**From:** McPherson, T. Richmond III <rmcpherson@mcguirewoods.com>  
**Sent:** Thursday, September 18, 2014 1:52 PM  
**To:** Drew Radeker  
**Subject:** RE: BoA v. Orvin f/k/a Elrod  
**Attachments:** BOA Elrod - signed original mod forms.pdf

**Importance:** High

Drew,

We will consent to the additional 30-day extension.

Redacted language  
about settlement



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:** Wednesday, September 17, 2014 3:51 PM  
**To:** McPherson, T. Richmond III  
**Subject:** RE: BoA v. Orvin f/k/a Elrod

Rich:

I'd like to make another motion for an extension of the brief and designation deadline for the appeal, to give us more negotiating time. Do you consent to another 30-day extension?

Thank you.

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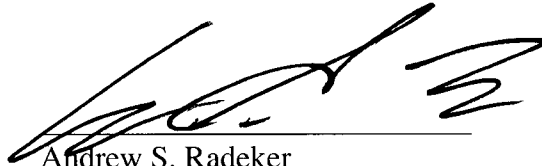
Of whom Elisabeth Orvin is the.....Appellant.

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

September 25, 2014



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

LAW OFFICES  
**HARRISON & RADEKER, P.A.**  
923 CALHOUN STREET  
COLUMBIA, SOUTH CAROLINA 29201

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

\* Mediator/Arbitrator

September 25, 2014

P.O. Box 50143  
Columbia, SC 29250

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

736669

**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**

SEP 26 2014

**SC Court of Appeals**

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

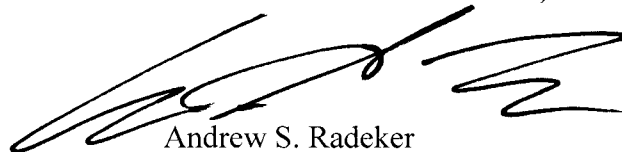
Dear Ms. Kitchings:

Enclosed herewith for filing are an original and seven 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.