

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appellate Case Number 2014-000338

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Kristi L. Harrington, Circuit Court Judge

Case Number 2011-CP-10-4348

Thomas Easterling,.....Appellant,

v.

Burger King Corporation and Capital Restaurant Group, LLC,.....Respondents.

MOTION FOR EXTENSION

The Appellant, Thomas Easterling, by and through his undersigned counsel, respectfully moves for a thirty (30) day extension of time from November 3, 2014 within which to serve his Record on Appeal to Respondent and file proof of service with the Court, thus the date for appellant to serve a copy of the Record on Appeal to Respondent will be December 2, 2014. This proposed date does not alter the current due date for Appellant to serve his Record on Appeal to Respondent because currently Appellant's Reply Brief is due November 3, 2014; however, Appellant requested a thirty (30) day extension on his Reply Brief due to counsel being on vacation at the time Respondent's Brief was served and returned from vacation to start a two week federal trial. Subsequently, this past week counsel for Appellant was out of the office due to sickness and has just now been able to determine that Appellant will not be submitting a Reply Brief on November 3, 2014. Appellant has received consent from Respondent's counsel for this request and respectfully submits this timely motion for the Court's consideration.

(Signature on Following Page)

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SC Court of Appeals

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ATTORNEYS FOR APPELLANT

October 31, 2014

Charleston, South Carolina

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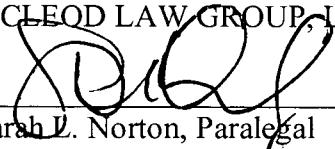
Burger King Corporation and Capital Restaurant Group, LLC.....Respondents.

CERTIFICATE OF SERVICE

I certify that I have served the Appellant's Motion for Extension of Time to serve the Record on Appeal on counsel for Respondents by depositing a copy of it in the United States Mail, postage prepaid, on October 31, 2014, addressed to:

Christy R. Fagnoli, Esquire
126 Seven Farms Drive, Suite 200
Charleston, SC 29492-6108

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October 31, 2014
Charleston, South Carolina

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October 31, 2014

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

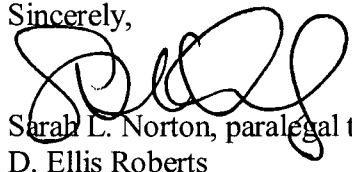
Re: Thomas Easterling v. Burger King Corporation, et al.
Appellate Case No. 2014-000338
MLG File No. 11-1013

Dear Ms. Kitchings:

Enclosed please find the original and one copy of Appellant's Motion for Extension of Time to serve the Record on Appeal in the above-referenced matter. Kindly file the original and return the filed copy to me in the enclosed envelope. I have also enclosed a check in the amount of \$25.00 for the filing fee.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have questions or concerns.

Sincerely,



Sarah L. Norton, paralegal to
D. Ellis Roberts

/shl
Enclosures as stated

cc: Christy Fagnoli, Esquire

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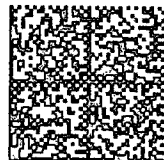
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SC Court of Appeals

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