

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Alison Renee Lee, Circuit Court Judge

Case No. 2011-CP-40-2096

RECEIVED
NOV 21 2014
SC Court of Appeals

South Carolina Insurance Reserve Fund, Respondent,

v.

East Richland County Public Service District
and Coley Brown, are Defendants,

Of whom, East Richland County Public Service District, is Appellant,

and Coley Brown, is Respondent.

**MOTION FOR EXTENSION
TO FILE INITIAL BRIEF**

The Respondent South Carolina Insurance Reserve Fund respectfully moves this Court for an additional extension of time until December 15, 2014, by which to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

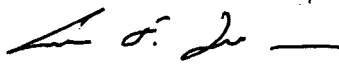
The Respondent South Carolina Insurance Reserve Fund's motion is based on the following grounds:

1. The Initial Brief is currently due to be filed and served on November 21, 2014.
2. The undersigned counsel for the Respondent South Carolina Insurance Reserve Fund requires additional time to complete the preparation of the Initial Brief of Respondent South Carolina Insurance Reserve Fund and its Designation of Matter to be Included in the Record on Appeal because other obligations and deadlines have prevented him from completing the Initial Brief by the current deadline. Specifically, in the past week, the undersigned counsel has filed post-trial motions in a complex Federal Court police shooting case, two briefs filed in the South Carolina Court of Appeals, and one brief filed in the South Carolina Supreme Court. In addition, the undersigned counsel has an additional brief due in the South Carolina Court of Appeals on November 24, 2014..
3. Counsel for the Respondent South Carolina Insurance Reserve Fund consulted with Appellant's counsel who has kindly consented to the requested extension by reply email (see attached).

WHEREFORE, the Respondent South Carolina Insurance Reserve Fund respectfully requests that it be allowed until December 15, 2014, by which to file

and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

DAVIDSON & LINDEMANN, P.A.

BY: 

ANDREW F. LINDEMANN
1611 Devonshire Drive
Post Office Box 8568
Columbia, South Carolina 29202
(803) 806-8222

*Counsel for Respondent
South Carolina Insurance Reserve Fund*

Columbia, South Carolina

November 21, 2014

Andrew Lindemann

From: Andrew Lindemann
Sent: Tuesday, November 18, 2014 2:35 PM
To: 'Scott Elliott'
Subject: RE: SCIRF v. East Richland

Thanks

From: Scott Elliott [<mailto:selliott@elliottlaw.us>]
Sent: Tuesday, November 18, 2014 2:35 PM
To: Andrew Lindemann
Subject: RE: SCIRF v. East Richland

You are welcome to all the time you need.

From: Andrew Lindemann [<mailto:alindemann@dml-law.com>]
Sent: Tuesday, November 18, 2014 2:28 PM
To: Scott Elliott
Subject: RE: SCIRF v. East Richland

Scott, thanks for the offer. Because of other briefs/deadlines, I would definitely appreciate another 30 days. Is that agreeable?

From: Scott Elliott [<mailto:selliott@elliottlaw.us>]
Sent: Tuesday, November 18, 2014 10:02 AM
To: Andrew Lindemann
Subject: SCIRF v. East Richland

Looking at my calendar. I am happy to consent to another extension for your brief. Hope all is well.

Scott Elliott, Esquire
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, SC 29201
803-771-0555 (P)
803-771-8010 (F)
selliott@elliottlaw.us

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SC Court of Appeals

South Carolina Insurance Reserve Fund, Respondent,

v.

East Richland County Public Service District
and Coley Brown, are Defendants,

of Whom, East Richland County Public Service District, is Appellant,

and Coley Brown, is Respondent.

CERTIFICATE OF SERVICE

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Respondent South Carolina Insurance Reserve Fund, does hereby certify that service of the **Motion for Extension to File Initial Brief** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 21st day of November 2014:

Kenneth E. Berger, Esquire
Law Office of Kenneth E. Berger, LLC
5205 Forest Drive - Suite Two
Columbia, South Carolina 29206

Scott Elliott, Esquire
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, South Carolina 29201



DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

William H. Davidson, II
Andrew F. Lindemann*
James M. Davis, Jr.†
Robert D. Garfield
Michael B. Wren

1611 Devonshire Drive, Second Floor
Post Office Box 8568
Columbia, South Carolina 29202-8568
Telephone: (803) 806-8222
Facsimile: (803) 806-8855
www.dml-law.com

Daniel C. Plyler
Joel S. Hughes
Justin T. Bagwell
David A. DeMasters
Steven R. Spreuwiers
Todd R. Flippin

*Also Admitted In North Carolina
†Certified Mediator

November 21, 2014

Of Counsel
Kenneth P. Woodington

Writer's Email: alindemann@dml-law.com

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

RECEIVED

NOV 21 2014

SC Court of Appeals

RE: South Carolina Insurance Reserve Fund v. East Richland County Public Service District
and Coley Brown
Appeal Tracking Number: 2014-000728
Civil Action Number: 2011-CP-40-2096
Claim Number: T63385A
Our File Number: 103.8530

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of the **Motion for Extension to File Initial Brief** with regard to the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have not enclosed the filing fee since the Respondent, as a State agency, is exempt.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb
Enclosures

The Honorable Jenny Abbott Kitchings
November 21, 2014
Page Two

cc: Scott Elliott, Esquire (*w/ Enclosure*)
Kenneth E. Berger, Esquire (*w/ Enclosure*)