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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Case No. 2011-CP-38-00853

RECEIVED

DEC 30 2014

SC Court of Appeals

Directory Assistants, Inc., Appellant,

v.

Dennis Shay d/b/a Marsch Chiropractic Center, Respondent.

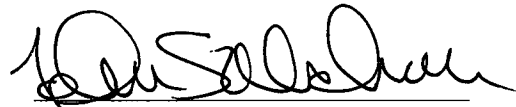
**MOTION FOR THE COURT TO ACCEPT THE
RESPONDENT'S INITIAL BRIEF AND DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL OUT OF TIME**

Pursuant to Rules 240 and 263(b), SCACR, Respondent hereby moves this Court to accept for filing out of time the initial brief of respondent and designation of matter to be included in the record on appeal. The initial brief of respondent and designation of matter to be included in the record on appeal were due to be filed on December 29, 2014. Counsel for Respondent has been working diligently to prepare the initial brief and designation of matter to be included in the record in a timely manner. The demands of other matters as well as the holiday season contributed to this one-day delay.

The initial brief of respondent and designation of matter to be included in the record on appeal are conditionally filed with this motion and served on all other parties.

December 30, 2014

Respectfully Submitted,



John S. Nichols, SC Bar # 4210

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Attorneys for Respondent



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VIA HAND DELIVERY

The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Directory Assistants, Inc. v. Dennis Shay
Case Tracking No.: 2014-000459

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a Motion for the Court to Accept the Brief of Respondent and Designation of Matter to be Included in the Record on Appeal Out of Time. Also, please find enclosed the conditionally filed original and one (1) copy of the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal in regards to this matter. I have also enclosed a proof of service upon counsel for the Appellant and a check in the amount of \$25.00 for filing this motion. Please return the additional filed copies to me via our courier.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges
Paralegal to John S. Nichols
BLUESTEIN, NICHOLS, THOMPSON &
DELGADO, LLC

/emb
Enclosures

cc: Michael J. Anzelmo, Esquire
D. Lawrence Kristinik, III, Esquire
Matthew A. Abee, Esquire
David Maxfield, Esquire (via electronic mail)

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PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served counsel for the Appellant with a copy of the *Motion for the Court to Accept the Brief of Respondent and Designation of Matter to be Included in the Record on Appeal Out of Time* and the conditionally filed *Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal* by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Michael J. Anzelmo, Esquire
D. Lawrence Kristinik, III, Esquire
Matthew A. Abee, Esquire
Nelson Mullins Riley & Scarborough, LLP
P.O. Box 11070
Columbia, SC 29211

December 30, 2014



Erin Bridges
BLUESTEIN, NICHOLS,
THOMPSON & DELGADO, LLC