

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

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APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

JAN 09 2015

The Honorable R. Knox McMahon, Circuit Court Judge

SC Court of Appeals

174723

CASE NO. 2011-CP-21-941

Tracking Number: 2013-001764

Scient Partners, LLCAppellant,

v.

Pinnacle Network Solutions, Inc. and Cliff Smith Respondents.

APPELLANT’S *CONSENT* MOTION FOR EXTENSION OF
TIME TO SERVE THE RECORD ON APPEAL

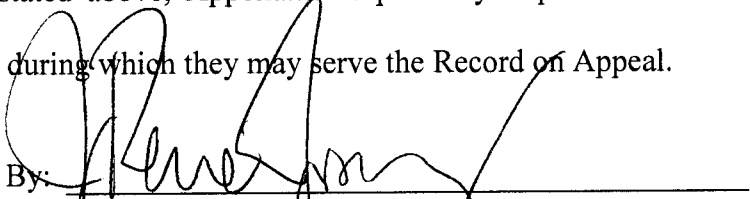
Pursuant to Rule 240 of the South Carolina Rules of Appellate Practice, Scient Partners, LLC (“Appellant”) moves this Court for an Order granting an extension of time during which to serve the Record on Appeal. For the reasons set forth below, Appellant requests an additional period of thirty days from January 9, 2015, during which to serve this document.

The additional time is requested because each party has requested inclusion of certain trial exhibits in the Record on Appeal and those exhibits have not been immediately available to the undersigned counsel. Specifically, the trial exhibits are in the possession and control of the Florence County Clerk’s office and counsel is endeavoring to secure the needed copies in a coordinated fashion – working around the on-going trial court duties of the deputy clerk. While counsel believes this can be accomplished soon, the process of duplicating and binding the totality of the Record cannot begin until those copies are secured. Thus, counsel is filing this

motion to allow for the needed time. The extension will not prejudice Respondent or Appellants or affect their legal rights. Counsel for Respondent has graciously consented to this request as reflected in the attached e-mail exchange.

Appellants intend to work diligently and to serve the Record on Appeal as soon as practicable. However, for the reasons stated above, Appellants respectfully request that the Court grant a thirty-day extension of time during which they may serve the Record on Appeal.

January 6, 2015

By: 

J. René Josey (S.C. Bar # 3230)
Carlyle R. Cromer (S.C. Bar # 100058)
TURNER, PADGET, GRAHAM & LANEY, P.A.
Post Office Box 5478
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843-656-4451 (Telephone)
843-413-5818 (Fax)
RJosey@TurnerPadget.com (Email)

ATTORNEYS FOR APPELLANT

Josey, J. Rene

From: Rob King <rking@klslawfirm.com>
Sent: Tuesday, January 06, 2015 9:07 AM
To: Josey, J. Rene
Subject: Re: Hillsouth v. Pinnacle

No.

Sent from my iPhone

On Jan 6, 2015, at 8:58 AM, Josey, J. Rene <JJosey@TurnerPadget.com> wrote:

Any objection to seeking an extension for the Record on Appeal deadline while I wait to coordinate copying exhibits with Melissa at the clerk's office?

Turner | Padget

J. Rene Josey
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PROOF OF SERVICE

I certify that I have served a copy of *Appellant's Consent Motion for Extension of Time to Serve the Record on Appeal* by depositing copies of the same in the United States mail, postage prepaid, on January 7, 2015, to all counsel of record at the following address:

Rob King, Esquire
King, Love & Smith, LLC
135 South Dargan Street, Suite 201
Florence, SC 29501

TURNER, PADGET, GRAHAM & LANEY, P. A.

By: _____

J. René Josey (S.C. Bar # 3270)
Carlyle R. Cromer (S.C. Bar # 100058)
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January 7, 2015

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

Re: Scient Partners, LLC v. Pinnacle Network Solutions and Cliff Smith
Civil Action No.: 2011-CP-21-941
Tracking Number: 2013-001764
TPGL File No.: 7472.103

Dear Ms. Kitchings:

Please find enclosed the original and seven copies of Appellant's Consent Motion for Extension of Time to Service the Record on Appeal. Also enclosed is the original and one copy of the Proof of Service for the motion. Please file the original documents and return clocked copies of each to me in the self-addressed stamped envelope provided.

By copy of this letter to counsel for the Respondents, I am serving him with these documents as indicated in the Proof of Service.

Sincerely,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey

JRJ:vlb
Enclosures

Cc: Robby Hill (w/enclosures) (by e-mail only)
Rob King, Esquire (w/enclosures)

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7472.103

Hon. Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
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