

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

174964

J. Mark Hayes, Presiding Judge Seventh Judicial Circuit

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Appellate Case No.: 2014-001151

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Nationwide Mutual Insurance Company,  
and Gilliam Construction Company, Inc.....Respondents,

v.

Eagle Windows & Doors, Inc.....Appellant

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MOTION TO ALLOW LATE FILING

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Respondents Nationwide Mutual Insurance Company and Gilliam Construction Company, Inc. hereby move the Court for an Order allowing Respondents to file their Final Brief late due to it being lost after it left counsel's office on December 16, 2014. Respondents sent their Final Brief to the Court and served the same upon Appellant on December 16, 2014. Counsel for Appellant received his copy of the brief in December.

I attach my paralegal's affidavit, proof of service, proof of receipt of the brief by Appellant's counsel, and a receipt showing that twenty (20) copies were made on December 15, 2014.

Respondents respectfully request that the Final Brief be accepted for consideration as it was sent to the Court timely and was apparently lost between this office and the Court.

Respectfully submitted,

**RECEIVED**

FEB 06 2015

SC Court of Appeals

THE WARD LAW FIRM, PA

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*Attorneys for Respondents*

February 4, 2015

APPELLANT'S COUNSEL OF RECORD:

G. Dana Sinkler, Esquire  
Gibbs & Holmes  
171 Church Street, Suite 110  
Charleston, SC 29401

*Attorneys for Appellants*

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

The Honorable J. Mark Hayes, Circuit Court Judge

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Appellate Case No.: 2014-001151

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Nationwide Mutual Insurance Company and Gilliam Construction Company, Inc...Respondents,

v.

Eagle Windows & Doors, Inc.....Appellant.

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PROOF OF SERVICE

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I certify that I have served Respondents, Nationwide Mutual Insurance Company and Gilliam Construction Company, Inc.'s Motion to Allow Late Filing on G. Dana Sinkler, attorney for Appellant Eagle Windows & Doors, Inc., by depositing a copy of it in the United States Mail, postage prepaid, on February 4, 2015, addressed as follows:

G. Dana Sinkler, Esquire  
171 Church Street, Suite 110  
Charleston, SC 29401



Amanda D. Steward  
Paralegal to Jason M. Imhoff

February 4, 2015

**RECEIVED**

FEB 06 2015

SC Court of Appeals

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February 4, 2015

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**Re: *Nationwide Mutual Insurance Company and Gilliam Construction Company,  
Inc. vs. Eagle Windows & Doors, Inc.,  
Court of Appeals CA#: 2014-001151***

Dear Ms. Kitchings:

Enclosed for filing is the original and seven (7) copies of Respondents Nationwide Mutual Insurance Company and Gilliam Construction Company, Inc.'s Motion to Allow Late Filing.

The Respondents mailed their Final Brief on December 16, 2014 and served the same upon the Appellant's counsel. Appellant received the brief. To date, the Court has not received Respondents' Final Brief. I enclose my paralegal's affidavit, proof of service, proof of receipt of the brief by Appellant's counsel and a receipt showing that twenty (20) copies were made on December 15, 2014. This request for an extension of time is warranted and has not been interposed to delay the case.

Also enclosed is our firm's check in the amount of \$25.00 to cover the filing fee for the motion and the original and one copy of the Proof of Service upon opposing counsel.

Please file-stamp and return the extra copies in the envelope provided for your convenience. Opposing counsel is being served the same by copy of this letter.

Respectfully submitted,

THE WARD LAW FIRM, P.A.

Jason M. Imhoff

**RECEIVED**

FEB 06 2015

SC Court of Appeals

JMI/ads  
Enclosure

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
February 3, 2015

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cc: G. Dana Sinkler, Esquire