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MAR 09 2015  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Maite D. Murphy  
Circuit Court Judge

Case No. 2011-CP-07-04999  
Case Tracking No. 2013-002569

STEFFANI WALTHER and MICHAEL D. WALTHER.....Appellants,

v.

EDDIE MAPLE and KATE MAPLE, INDIVIDUALLY and  
d/b/a EQUINE MANAGEMENT, LLC.....Respondents.

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**NOTICE OF MOTION AND MOTION  
TO EXTEND TIME AND  
MEMORANDUM**

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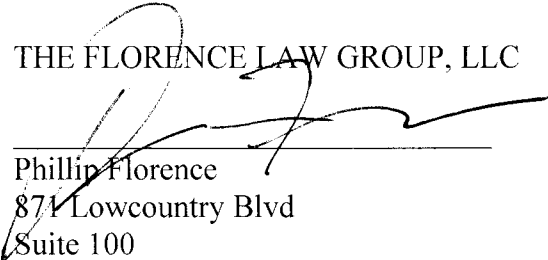
The Respondents, Eddie Maple and Kate Maple, individually and d/b/a Equine Management, LLC, by and through their undersigned attorney, pursuant to Rule 240, SCACR, move the Court of Appeals for an order extending the time for the Respondents to file and serve their Final Brief through and including Friday, March 13, 2015.

The grounds for this Motion are that Respondents' counsel did not receive the final edited Record on Appeal from Appellants' counsel until February 27, 2015, and therefore have not been afforded appropriate time to incorporate the Appellants' edits and changes to the Record on Appeal into Respondents' Final Brief and prepare their Final Brief for filing in accordance with

SCACR. On February 7, 2015, the Record on Appeal was served on Respondents. On February 26, 2015, Appellants notified counsel for Respondents via email of the edited Record on Appeal which incorporated additional documents included in the Record on Appeal. (See Exhibit A). On February 27, 2015, Appellants notified counsel for Respondents of additional edits to the Record on Appeal due to a mistake in the numbering of the documents included in the Record on Appeal. (See Exhibit B). Therefore, Respondents have not been afforded adequate time to prepare their Final Brief in accordance with SCACR.

Accordingly, Respondents request that the time to allow Respondents' to file their Final Brief be extended through and including March 13, 2015.

THE FLORENCE LAW GROUP, LLC



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Phillip Florence  
871 Lowcountry Blvd  
Suite 100  
Mt. Pleasant, South Carolina 29464  
Telephone: (843) 352-2667  
Fax: (843) 352-2668  
Email: [phil@theflorencelaw.com](mailto:phil@theflorencelaw.com)  
ATTORNEYS FOR RESPONDENTS

March 4, 2015  
Charleston, South Carolina.

# **EXHIBIT A**

**Phil Florence**

---

**From:** Donald Mathison <dmichaelmathison@yahoo.com>  
**Sent:** Thursday, February 26, 2015 5:33 PM  
**To:** phil@theflorencelaw.com  
**Cc:** Mathison & Mathison  
**Subject:** Walther v. Maples; Record on Appeal-Additional Documents.  
**Attachments:** 2015-02-26 Revised ROA Index.docx

Mr. Florence,

I left you a voicemail earlier today about finalizing the Record on Appeal in the matter referenced. I have reviewed your proposed supplemental documents together with your brief and designation.

We have added the following items to the end of the record:

Emails Correspondence from April Burch, dated November 15, 2013 ..... 172  
Email Correspondence from John Guerry, dated November 15, 2013 ..... 172  
Email Correspondence from Jeffrey North to Florence dated February 7, 2013 ..... 173  
Letter from Florence to Mathison dated August 7, 2013, with 4<sup>th</sup> Deposition Notices ..... 174  
Items from Exhibits to Deposition:  
    Letter from Florence to Mathison dated March 7, 2013, with Deposition Notices  
    and Subpoenas ..... 179  
    Email Correspondence between Mathison and Florence dated April 18, 2013 ..... 187  
    Email Correspondence from Florence to Mathison dated May 24, 2013 ..... 188  
    Letter from Florence to Mathison dated May 30, 2013 ..... 189  
    Letter from Florence to Mathison dated June 10, 2013 with 2nd Amended Deposition  
    Notices .....190  
    Letter from Florence to Mathison dated June 25, 2013 with 3<sup>rd</sup> Amended Deposition  
    Notices ..... 193

Every other item listed in your designation of matter or identified in your brief has been included. We cannot justify the inclusion of seventy-five additional pages of transmittals and duplicates, which are neither referenced in your brief nor identified for inclusion in your designation.

If you wish to supplement the record to include the all of the exhibits to the deposition, we will not oppose your motion. However, we have to certify that the record only includes matters that have been designated for inclusion in accordance with Rules 267 and 210(c) and (g), SCACR.

Please call if you have any questions. I can be reached at (843) 384-3761.

D. Michael Mathison  
2814 Superior Street

Columbia, SC 29205  
(843) 384-3761

# **EXHIBIT B**

## Phil Florence

---

**From:** Donald Mathison <dmichaelmathison@yahoo.com>  
**Sent:** Friday, February 27, 2015 10:24 AM  
**To:** Phil Florence  
**Cc:** Mathison & Mathison  
**Subject:** Re: Walther v. Maples; Record on Appeal-Additional Documents.  
**Attachments:** 2015-02-26 Revised ROA Index.docx; p 174 Emails from Clerks 11-15-13.pdf; p 175.pdf; p 176-180 Ltr FI-4th Am Depo Notices.pdf; p 181-189 Notice of Depos-Subpoenas-4-18-13 emails.pdf; p 190-194 email 5-24 ltr 5-30 ltr 6-10 2nd notices.pdf; p 195-197 FI Ltr 6-25 3rd depo notices.pdf

Mr. Florence,

Attached is the final revised index to the Record on Appeal as well as the documents which will be included.

Please note that the index of newly included items sent yesterday was misnumbered by 2 pages (each page number should have been two pages higher). This revised version reflects the correct page numbers. I apologize for the inconvenience.

Mike Mathison.  
2814 Superior Street  
Columbia, SC 29205  
(843) 384-3761

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**From:** Phil Florence <phil@theflorencelaw.com>  
**To:** 'Donald Mathison' <dmichaelmathison@yahoo.com>  
**Cc:** 'Mathison & Mathison' <rmathlaw@aol.com>  
**Sent:** Friday, February 27, 2015 9:49 AM  
**Subject:** RE: Walther v. Maples; Record on Appeal-Additional Documents.

Approved as long as every other item listed in my designation of matter or identified in my brief has been included.

Phillip Florence, Jr.  
*The Florence Law Group, LLC*  
871 Lowcountry Blvd  
Suite 100  
Mt Pleasant, S.C. 29464  
Tel: 843.352.2667  
Fax: 843.352.2668  
[www.theflorencelaw.com](http://www.theflorencelaw.com)

IMPORTANT/CONFIDENTIAL: This message contains information from The Florence Law Group, LLC, which may be privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately by return e-mail.

To ensure compliance with the requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including the attachments) is not intended or written to be used for the purpose of (a) avoiding penalties under the Internal Revenue Code or (b) promoting, marketing or recommending to another party any transaction or tax-related matter[s]. To provide you with a communication that could be used to avoid penalties under the Internal Revenue Code will entail additional investigations, analysis and conclusions on our part.

---

**From:** Donald Mathison [<mailto:dmichaelmathison@yahoo.com>]  
**Sent:** Thursday, February 26, 2015 5:33 PM  
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Mr. Florence,

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Please call if you have any questions. I can be reached at (843) 384-3761.

D. Michael Mathison  
2814 Superior Street  
Columbia, SC 29205  
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THE STATE OF SOUTH CAROLINA  
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APPEAL FROM BEAUFORT COUNTY  
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Maite D. Murphy  
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Case No. 2011-CP-07-04999  
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STEFFANI WALTHER and MICHAEL D. WALTHER.....Appellants,

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EDDIE MAPLE and KATE MAPLE, INDIVIDUALLY and  
d/b/a EQUINE MANAGEMENT, LLC.....Respondents.

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**PROOF OF SERVICE**

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I, Phillip Florence, Jr., hereby certify that on March 4, 2015, I filed and served by mail the originals and copies of the Notice of Motion and Motion to Extend Time to File Final Brief dated March 4, 2015, by depositing same, with sufficient first class postage prepaid, at the United States Post Office at Charleston, South Carolina, addressed as follows::

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

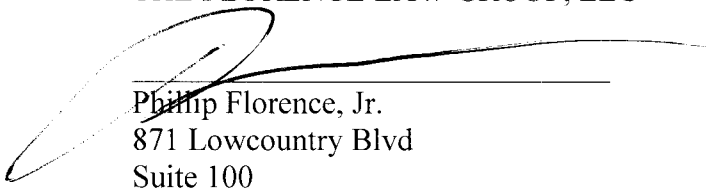
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MAR 09 2015

**SC Court of Appeals**

Robert V. Mathison Jr.  
Mathison & Mathison  
PO Box 5271  
Hilton Head Island, S.C. 29938

THE FLORENCE LAW GROUP, LLC



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Philip Florence, Jr.  
871 Lowcountry Blvd  
Suite 100  
Mt. Pleasant, South Carolina 29464  
Telephone: (843) 352-2667  
Fax: (843) 352-2668  
Email: [phil@theflorencelaw.com](mailto:phil@theflorencelaw.com)  
ATTORNEYS FOR RESPONDENTS

March 4, 2015



**FLORENCE**  
LAW GROUP

**Phillip Florence, Jr.**  
**Attorney at Law**

**March 4, 2015**

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

Re: Steffani Walther & Michael Walther v. Eddie Maple & Kate Maple,  
individually and d/b/a Equine Management, LLC  
Case No.: 2011-CP-07-4999  
Appellate Case No.: 2013-002569

Dear Ms. Kitchings,

I am enclosing herewith for filing the original and six copies of the following documents:

1. Respondents' Notice of Motion and Motion to Extend Time to file Respondents' Final Brief; and
2. Original Proof of Service.

Also enclosed are the original Proof of Service and a filing fee check in the amount of \$25.00.

By copy of this letter to Plaintiff's counsel, Robert V. Mathison, Esquire, I am this day serving him with copy of same.

Sincerely,  
THE FLORENCE LAW GROUP

  
Phillip Florence, Jr.

cc: Robert V. Mathison, Jr.

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MAR 09 2015

**SC Court of Appeals**