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STATE OF SOUTH CAROLINA  
IN THE  
COURT OF APPEALS

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SC Court of Appeals

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Appeal from the Court of Common Pleas  
For Charleston County  
Honorable J. C. Nicholson, Jr., Circuit Judge  
Civil Action Nos.: 2010-CP-10-9096  
And 2011-CP-10-8840

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Frank Gordon, Jr., Individually and as Trustee  
of the Dorothy S. Gordon (Deceased) Trust,

v.

Donald W. Lancaster,

Respondent.

Appellant.

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**Motion for Leave to Exceed Page Limit**

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Justin O'Toole Lucey, Esquire  
SC Bar No.: 15438  
Stephanie D. Drawdy, Esquire  
SC Bar No.: 70205  
*JUSTIN O'TOOLE LUCEY, P.A.*  
415 Mill Street  
Mount Pleasant, South Carolina 29201  
Telephone: 843.849.8400  
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*Attorneys for the Respondent*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW Respondent, Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust, pursuant to Rule 208(b)(5) of the *South Carolina Appellate Court Rules*, and respectfully requests this Court of Appeals grant him leave to exceed the fifty (50) page requirement for Respondent's Initial Brief in this appellate matter. Specifically, the Respondent moves this Court for an order granting leave to file the Initial Brief with an additional fifteen (15) pages for a total of no more than sixty-five (65) pages. Given the complexity of the facts and issues, Respondent needs more than the fifty (50) pages allowed by Rule 208(b)(5) to properly reply to Appellant's Initial Brief in this appellate matter. (This Statute of Elizabeth appeal addresses a series of complex financial transactions over a thirteen year period commencing in 1992, and prior judgments granted between 2001 and 2005).

Respectfully submitted;

JUSTIN O'TOOLE LUCEY, P.A.

By: 

Justin O'Toole Lucey, Esquire

SC Bar No.: 15438

Stephanie D. Drawdy, Esquire

SC Bar No.: 70205

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Mount Pleasant, SC

April 3, 2015

STATE OF SOUTH CAROLINA  
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SC Court of Appeals

Appeal from the Court of Common Pleas  
For Charleston County  
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Frank Gordon, Jr., Individually and as Trustee  
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Appellant.

---

**Proof of Service for Motion for Leave to Exceed Page Limit**

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Justin O'Toole Lucey, Esquire  
SC Bar No.: 15438  
Stephanie D. Drawdy, Esquire  
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*JUSTIN O'TOOLE LUCEY, P.A.*  
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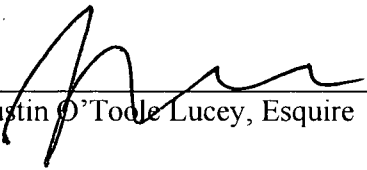
*Attorneys for the Respondent*

I, Justin O'Toole Lucey, Esquire, hereby certify that on April 3, 2015, I served a copy of the *Motion for Leave to Exceed Page Limit* submitted by the Respondent, Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust, on counsel for Appellant, Donald W. Lancaster, via the United States Mail, postage pre-paid, and addressed as follows:

Stephen P. Groves, Sr., Esquire  
S.C. Bar No. 007854  
*NEXSEN PRUET, LLC*  
205 King Street, Suite 400  
Charleston, South Carolina 29401  
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John J. Dodds, III, Esquire  
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*Attorneys for the Appellant*

Signed:   
Justin O'Toole Lucey, Esquire

Mount Pleasant, SC  
April 3, 2014

# JUSTIN O'TOOLE LUCEY, PA

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Justin Lucey  
Joshua F. Evans  
Stephanie D. Drawdy  
Dabny Lynn  
James L. Floyd, III

Reply to:  
P.O. Box 806  
Mt. Pleasant, SC 29465

April 3, 2015

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SC Court of Appeals

**BY REGULAR MAIL**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court Of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: *Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust v Donald W. Lancaster*  
Appeal from the Charleston County, Court of Common Pleas  
Case Action No.: 2011-CP-10-8840  
Appellate Case Tracking No.: 2014-001247  
Case Action No.: 2010-CP-10-9096  
Appellate Case Tracking No.: 2014-001763  
(Consolidated Cases)

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the following documents in the above-referenced consolidated appellate matters which are being submitted on behalf of the Respondent Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust:

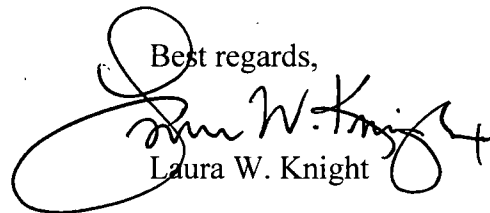
1. *Initial Brief of the Respondent;*
2. *Respondent's Designation of Matter to be Included in the Record on Appeal; and*
3. *Respondent's Proof of Service.*

I would greatly appreciate you filing these pleadings with the Court of Appeals and returning a date stamped copy of each to my attention in the enclosed self-addressed, stamped envelope.

Also enclosed please find the original and seven copies of *Respondents' Motion to Exceed Page Limit* in the above referenced consolidated appellate matters. I also enclose a *Proof of Service* indicating service of the *Respondents' Motion to Exceed Page Limit* upon counsel for the Appellant. Finally, I enclose our firm check in the amount of \$25.00 as payment for the filing fee. I would greatly appreciate you filing the *Respondents' Motion to Exceed Page Limit* and the *Proof of Service* with the Court of Appeals and returning a date stamped copy of each to my attention in the enclosed self-addressed, stamped envelope

If you need anything else or I otherwise may be of any assistance to you or to the Court of Appeals regarding this matter, please feel free to contact me.

Best regards,

A handwritten signature in black ink, appearing to read "Laura W. Knight", with a large, stylized flourish that loops back under the signature.

Laura W. Knight

JUSTIN O'TOOLE LUCEY, PA

ATTORNEYS AT LAW

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
105 Sumter Street  
Columbia, South Carolina 29201