

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
J. Michael Baxley, Circuit Court Judge

Case Nos. 2008-CP-26-9047  
2008-CP-26-9368

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APR 13 2015

SC Court of Appeals

75667

Sean D. Fay, as Personal Representative for the  
Estate of Kelly L. Fay, deceased, ..... Respondent/Appellant,

v.

Grand Strand Regional Medical Center, LLC,  
d/b/a South Strand Ambulatory Care Center  
Stephen W. Law, D.O., Richard Young, M.D.,  
and Grand Strand Urology, LLP, ..... Defendants,

Of whom Grand Strand Regional Medical  
Center, LLC, d/b/a South Strand Ambulatory  
Care Center is ..... Appellant/Respondent,

And of whom Stephen W. Law, D.O. is ..... Respondent/Appellant,

And of whom Richard Young, M.D. and  
Grand Strand Urology, LLP are, ..... Respondents.

**MOTION FOR EXTENSION TO FILE  
PETITION FOR REHEARING**

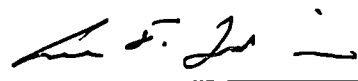
The Respondent-Appellant Stephen W. Law, D.O respectfully moves this Court for a 30-  
day extension of time until May 15, 2015, by which to file and serve his Petition for Rehearing.

The Respondent-Appellant's motion is based on the following grounds:

1. The Petition for Rehearing is currently due to be filed and served on April 16, 2015.
2. The parties are currently exploring the potential of settlement but require additional time in order to complete those discussions and negotiations. The Respondent-Appellant does not want to waive his right to seek rehearing before this Court or eventually petitioning the South Carolina Supreme Court for a writ of certiorari in the event the settlement negotiations are unsuccessful. Likewise, neither party wishes to incur unnecessary expense in continuing to prosecute and defend this appeal in the event the parties are able to reach a resolution.
3. Counsel for the Respondent-Appellant Sean D. Fay has been consulted and has consented to the requested extension. (See attached email).

WHEREFORE, the Respondent-Appellant Stephen W. Law, D.O respectfully requests that he be allowed until May 15, 2015, by which to file and serve his Petition for Rehearing.

DAVIDSON & LINDEMANN, P.A.

BY: 

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Post Office Box 1931  
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(843) 669-8787

*Counsel for Respondent-Appellant  
Stephen W. Law, D.O.*

Columbia, South Carolina

April 13, 2015

## Andrew Lindemann

---

**From:** rfoster9@sc.rr.com  
**Sent:** Monday, April 13, 2015 9:31 AM  
**To:** Boone Aiken; Andrew Lindemann  
**Cc:** Alicia Arnold; bhewett@mklawgroup.com  
**Subject:** RE: Sean Fay

Andrew,

I hereby consent for you to file a motion for a 30 day extension to file for re-hearing. Thanks.

Russ  
--- Andrew Lindemann <[alindemann@dml-law.com](mailto:alindemann@dml-law.com)> wrote:  
> I will try.  
>  
> Russ, can you send me an email consenting to a 30-day extension.  
>  
> Thanks.  
>  
> Andrew  
>  
>  
> From: Boone Aiken [<mailto:jba@aikenbridges.com>]  
> Sent: Monday, April 13, 2015 7:06 AM  
> To: Andrew Lindemann  
> Cc: 'rfoster9@sc.rr.com'; Alicia Arnold  
> Subject: Sean Fay  
>  
> Andrew,  
> Is there any way to get a 30 day extension to file petition for rehearing. Russ will consent if such a motion is possible.  
> Boone  
> Cell 843 992 3572  
> PS I will be in depositions this morning in Myrtle Beach.  
> CONFIDENTIAL & PRIVILEGED Unless otherwise indicated or obvious from the nature of the above communication, the information contained herein may be an attorney-client privileged and confidential information/work product. The communication is intended for the use of the individual or entity named above. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by return e-mail and destroy any copies, electronic, paper or otherwise, which you may have of this communication. CIRCULAR 230 DISCLOSURE: To comply with certain U.S. Treasury regulations, we inform you that, unless expressly stated otherwise, any U.S. Federal tax advice contained in this e-mail, including attachments, is not intended or written to be used, and cannot be used, by any person for the purpose of avoiding any penalties that may be imposed by the Internal Revenue Service.

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and Stephn W. Law, D.O., Dr. Richard Young, M.D.,  
and Grand Strand Urology, LLP, ..... Defendants,

Of whom Stephen W. Law, D.O. is ..... Appellant,

And of whom Dr. Richard Young, M.D., and  
Grand Strand Urology, LLP, are, ..... Respondents.

**CERTIFICATE OF SERVICE**

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Appellant Stephen W. Law, D.O, does hereby certify that service of the **Motion for Extension to File Petition for Rehearing** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 13th day of April 2015:

Brad D. Hewett, Esquire  
Mike Kelly Law Group, LLC  
Post Office Box 8113  
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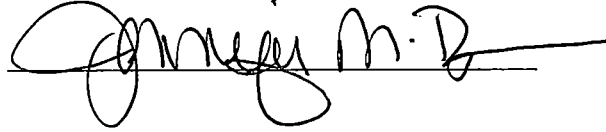
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Randolph L. Lee, Esquire  
Batten Lee PLLC  
4141 Parklake Avenue - Suite 350  
Raleigh, North Carolina 27612  
Email: [rlee@battenlee.com](mailto:rlee@battenlee.com)

A handwritten signature in black ink, appearing to read "Randolph L. Lee", written over a horizontal line.

# DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELLORS AT LAW

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\*Also Admitted In North Carolina  
†Certified Mediator

April 13, 2015

Of Counsel  
Kenneth P. Woodington

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

**Hand Delivered**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

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SC Court of Appeals

RE: Sean D. Fay, as Personal Representative for the Estate of Kelly L. Fay, deceased v. Grand Strand Regional Medical Center, LLC, d/b/a South Strand Ambulatory Care Center, Stephen W. Law, D.O., and Richard Young, M.D.  
Court of Appeals Case Tracking Number: 2010-167127  
Civil Action Numbers: 2008-CP-26-9047 & 2008-CP-26-9368  
Claim Number: CB042148M  
Our File Number: 22.8406

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven copies of the **Motion for Extension to File Petition for Rehearing** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have also enclosed my firm's \$25.00 check for the filing fee.

By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb  
Enclosure

The Honorable Jenny Abbott Kitchings  
April 13, 2015  
Page Two

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cc: Brad D. Hewett, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
Ruskin C. Foster, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
John S. Nichols, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
J. Boone Aiken, III, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
Marian W. Scalise, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
Lydia L. Magee, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
Carmen V. Ganjehsani, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
C. Mitchell Brown, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
William C. Wood, Jr., Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
Michael J. Anzelmo, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
Monteith P. Todd, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)  
Randolph L. Lee, Esquire (*w/ Enclosure, Via Email and U.S. Mail*)