

75740

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
APR 20 2015
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable DeAndrea G. Benjamin, Circuit Court Judge

Circuit Court Case No. 2012-CP-40-6341
Appellate Case No. 2015-000637

Home Benefits, Inc., and the American Traveler
Motor Club, Inc. **RESPONDENTS - APPELLANTS**

v.

South Carolina Department of Consumer Affairs **APPELLANT - RESPONDENT**

**RESPONDENTS-APPELLANT'S MOTION FOR EXTENSION OF TIME
TO FILE AND/OR TO STAY**

Appellants, Home Benefits, Inc., and the American Travelers Motor Club, Inc., hereby respectfully move for a thirty (30) day extension of time for the filing of Appellants' Initial Brief on behalf of Respondents-Appellants provided in Rule 208, SCACR, regarding the filing of an Appellants' Initial Brief, and regarding the Designation of Matter to be included in the record on appeal on behalf of the Appellants. The Respondents-Appellants further move for the Court to stay all time limits in Rules 208 and 209, SCACR, for the Respondents-Appellants to respond and file an Initial Appellants' Brief of the Respondents-Appellants and responsive Designation of Matters to be Included in the Record on Appeal from the date of filing this motion and until

date of receipt by the parties of a copy of the Order by the Court ruling on this Motion for extension. These above-referenced filings are currently due to be filed by the Respondents-Appellants no later April 22, 2015. The requested additional thirty (30) day extension would then make the Appellants' Initial Brief on behalf of the Respondents-Appellants and their Appellants' Designation of Matter due no later than May 22, 2015.

The reasons for this motion for an additional thirty (30) days and related stay of the current deadlines from the date of filing said extension request are due to the current work loads of the counsel of record, including additional and unexpected briefing demands due to developments in other matters, health issues, and a number of other deadlines, counsel has not been able to finalize and complete the research and drafting necessary with co-counsel to complete the Initial Appellants' Brief on behalf of the Respondents-Appellants and responsive Designation of Matters to be Included in the Record on Appeal. The Respondents-Appellants respectfully request to be allowed the additional time requested. This motion is not made for the purpose of undue delay, but due to unexpected demands.

Prior to filing this motion, the undersigned attorney for Respondents-Appellants, C. Jo Anne Wessinger Hill, did consult with counsel for the Appellant-Respondents and has been advised that the Appellant-Respondent does not have any objection and does agree and consent in writing to the motion to stay and for the extension of time of an additional thirty-day extension of time.

WHEREFORE, undersigned counsel for Respondents-Appellants pray that this Court shall issue an Order staying the time limits set forth in Rules 208 and 209, SCACR, for the Respondents-Appellants to respond and file an Initial Appellants' Brief and responsive Designation of Matters to be Included in the Record on Appeal from the date of filing this

motion and until the parties receive a copy of the Order of the Court deciding this Motion for extension.

WHEREFORE, undersigned counsel for Respondents-Appellants pray that this Court shall issue an Order allowing the additional time requested and extending for an additional thirty (30) days the time limits set forth in Rules 208 and 209, SCACR, for the Respondents-Appellants to respond and file an Initial Appellants' Brief and responsive Designation of Matters to be Included in the Record on Appeal so that the referenced filings shall be due no later than May 22, 2015.

Respectfully submitted this 20th day of April, 2015.

RICHARDSON PLOWDEN & ROBINSON, P.A.

By: 

Steven W. Hamm

swhamm@richardsonplowden.com

C. Jo Anne Wessinger Hill

jhill@richardsonplowden.com

Post Office Drawer 7788

Columbia, South Carolina 29202

(803) 771-4400

(803) 779-0016 facsimile

ATTORNEYS FOR RESPONDENTS-APPELLANTS

Columbia, South Carolina

April 20, 2015

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable DeAndrea G. Benjamin, Circuit Court Judge

Circuit Court Case No. 2012-CP-40-6341
Appellate Case No. 2015-000637

RECEIVED
APR 20 2015
SC Court of Appeals

Home Benefits, Inc., and the American Traveler Motor Club, Inc. **APPELLANTS**

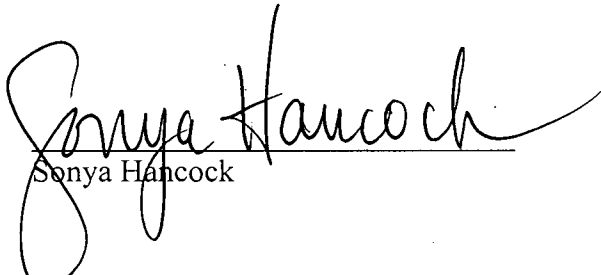
v.

South Carolina Department of Consumer Affairs **RESPONDENTS**

PROOF OF SERVICE

The undersigned employee of RICHARDSON PLOWDEN & ROBINSON, P.A., attorneys for Appellant, does hereby certify that service of the foregoing **RESPONDENTS-APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE AND/OR TO STAY** in the above-captioned matter was made upon all counsel of record this 20th day of April, 2015, by electronic mail and by depositing a copy of same in the U.S. Mail, postage prepaid, addressed as follows:

Danny R. Collins, Esquire (Email: DCollins@scconsumer.gov)
Kelly H. Rainsford, Esquire (Email: Krainsford@scconsumer.gov)
South Carolina Department of Consumer Affairs
2221 Devine Street, Suite 200
Post Office Box 5757
Columbia, South Carolina 29250-5757


Sonya Hancock

April 20, 2015
Columbia, South Carolina

Reply to: Columbia

jhill@richardsonplowden.com

Direct: 803-576-3714

Shamm@richardsonplowden.com

Direct: 803-576-3713

April 20, 2015

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29211

RECEIVED
APR 20 2015
SC Court of Appeals

RE: Home Benefits, Inc., and the American Travel Motor Club, Inc. v.
South Carolina Department of Consumer Affairs
Appeal from Richland County Court of Common Pleas
Circuit Court Case No.: 2012-CP-40-6341
Appellate Case No.: 2015-000637
Our File No.: 5758.001

Dear Ms. Kitchings:

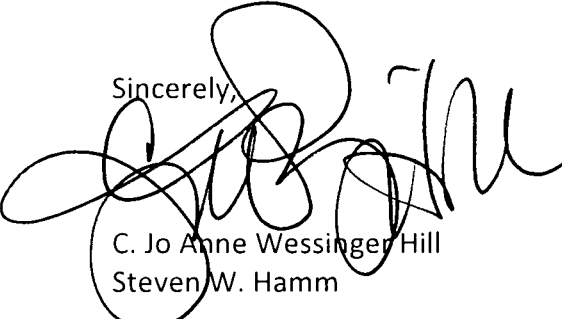
Please find enclosed the original and seven (7) copies of the Respondents-Appellants' Motion for Extension of Time to File And/Or to Stay in the above referenced matter, together with the Proof of Service of same. Please return one clocked copy to our courier.

By a copy hereof, we are serving the same on Danny R. Collins, Esquire, and Kelly H. Rainsford, Esquire, attorneys for the Respondent-Appellant.

If you should have any questions, please do not hesitate to contact me.

With kindest regards, I am

Sincerely,



C. Jo Anne Wessinger Hill
Steven W. Hamm

SWH/CJWH/smh

cc: Danny R. Collins, Esquire (via email and U.S. Mail)
Kelly H. Rainsford, Esquire (via email and U.S. Mail)