

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

D. Garrison Hill, Circuit Court Judge

Appellate Case No. 2014-002738
Civil Action No. 2013-CP-23-2176

RECEIVED
MAY 13 2015
SC Court of Appeals

John Perkins.....Appellant,

vs.

Pratik K. Desai.....Respondent.

**APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME FOR
APPELLANT TO FILE HIS INITIAL OPENING BRIEF AND
DESIGNATION OF MATTER FOR THE RECORD ON APPEAL—WITH
CONSENT OF OPPOSING COUNSEL**

COMES NOW the Appellant, John Perkins, by and through his undersigned counsel, and pursuant to the applicable South Carolina Appellate Court Rules, respectfully submits this second motion for an extension of time in which to file his initial opening brief and designation of matter for the record on appeal. In furtherance of this motion, Appellant would respectfully show as follows:

1. On December 19, 2014, Appellant timely filed his notice of appeal from certain adverse decisions rendered by the Circuit Court of Greenville County.

2. Appellant received the transcript of the hearing forming the substance of this appeal on March 10, 2015. Accordingly, the initial deadline for Appellant to file his opening brief was April 9, 2015.

3. By order dated April 15, 2015, the Court granted Appellant's first request for an extension of time to file his initial opening brief and designation of matter for the record on appeal, and set the new deadline to expire on May 12, 2015.

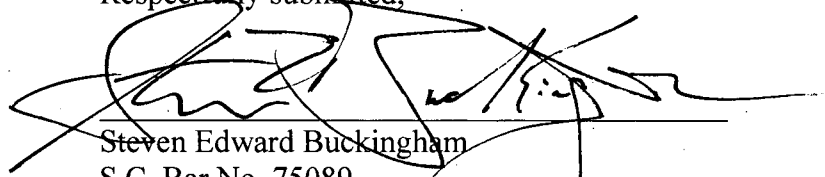
4. Counsel for Appellant and Respondent are actively engaged in settlement negotiations and believe an additional extension of time to file for Appellant to file such documents may facilitate the resolution of this dispute.

5. The undersigned counsel for Plaintiff has conferred with Defendant's counsel regarding this request for an additional extension, and Defendant's counsel has consented to the extension of time. Additionally, Defendant's counsel has authorized Plaintiff's counsel to sign this motion on his behalf. (See Email Exchange of May 8, 2015, attached hereto as **Exhibit A.**)

WHEREFORE, the parties respectfully request the Court to grant this motion for a second extension of time for Appellant to file his initial opening brief and designation of matter for the record on appeal.

[Signature Page Follows]

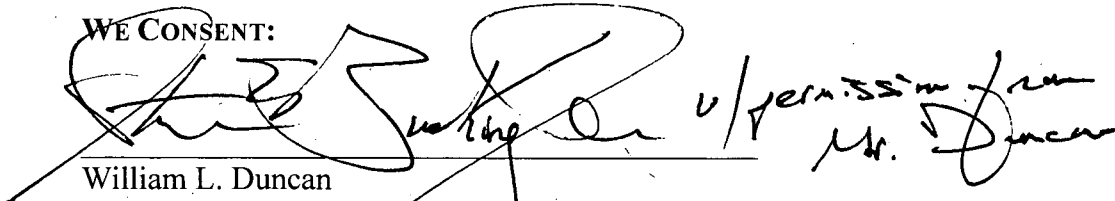
Respectfully submitted,



Steven Edward Buckingham
S.C. Bar No. 75089
PERKINS LAW FIRM
200 North Main Street / Suite 301
Greenville, South Carolina 29601
864.908.3900
SBuckingham@JohnPerkinsLaw.com

Attorney for Appellant John Perkins

WE CONSENT:



William L. Duncan
S.C. Bar No. 1796
BUTLER MEANS EVINS & BROWNE, P.A.
234 North Church Street
Post Office Drawer 451
Spartanburg, South Carolina 29306-0451
864.582.5630
SBuckingham@JohnPerkinsLaw.com

Attorney for Respondent Pratik K. Desai

EXHIBIT A

Subject: RE: Appellate Extension

Date: Friday, May 8, 2015 at 10:11:32 AM Eastern Daylight Time

From: William Duncan

To: Steven Buckingham, William Duncan

CC: John Perkins

You have my consent to sign my name on the extension.

Bill

From: Steven Buckingham [mailto:sbuckingham@johnperkinslaw.com]

Sent: Friday, May 08, 2015 8:59 AM

To: William Duncan

Cc: John Perkins

Subject: Appellate Extension

Bill: It was a pleasure speaking with you a moment ago. It is my understanding that you are agreeable to giving us another extension on the appellate brief while we attempt to negotiate a resolution to the lawsuit, and that I have your authority to place your signature on a consent motion for extension to be filed with the court of appeals. Is that correct? Thank you very much.

PERKINS
Business and Technology Attorneys

Steven Edward Buckingham

Perkins Law Firm, LLC
200 N. Main Street, Suite 301
Greenville, SC 29601

T: 864.908.3900

F: 866.365.3840

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PROOF OF SERVICE

The undersigned counsel for Appellant hereby certifies that a true copy of Appellant’s Second Motion for an Extension of Time for Appellant to File His Initial Opening Brief and Designation of Matter for the Record on Appeal—With Opposing Counsel’s Consent for the above-referenced case has been served via U.S. Mail upon William L. Duncan, of Butler Means Evins & Browne, P.A., at 234 North Church Street, Post Office Drawer 451, Spartanburg, South Carolina 29034, as of the date set out below.

[Handwritten signature]

Steven Edward Buckingham
S.C. Bar No. 75089
PERKINS LAW FIRM
200 North Main Street / Suite 301
Greenville, South Carolina 29601
864.908.3900
SBuckingham@JohnPerkinsLaw.com

Attorney for Appellant John Perkins

SUBSCRIBED AND SWORN TO before me
this 8th day of May, 2015.

[Handwritten signature]

(L.S.)
Notary Public for South Carolina

My Commission Expires: 06/27/2023



PERKINS

Business and Technology Attorneys

ATTORNEYS AND COUNSELORS AT LAW

Amy Wood, Paralegal
awood@johnperkinslaw.com

May 8, 2015

VIA U.S. MAIL

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

Re: **John Perkins, Appellant, v. Pratik K. Desai, Respondent**
Case No. 2013-CP-23-02176
Appellate Case No. 2014-002738

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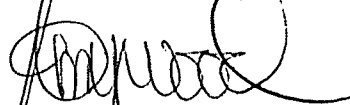
Dear Ms. Kitchings:

Enclosed please find an original and two (2) copies of Appellant's Second Motion for Extension of Time for Appellant to File his Initial Opening Brief and Designation of Matter for the Record on Appeal – with Consent of Opposing Counsel, along with our Proof of Service and a check in the amount of \$25.00 (USD) for filing in the above-referenced matter.

We would appreciate your filing the original and returning the clocked copies to us in the envelope provided. Please let us know if we may provide any additional information to you at this time.

Sincerely yours,

Perkins Law Firm, LLC



Amy Wood

Enclosure

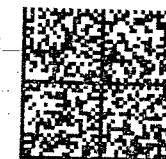
Cc: William L. Duncan, Esq.

PERKINS

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